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APPENDIX, 1777.

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Mr URBAN, *Oct.* 1777.

WHat I think myſelf obliged to offer to the public on a very ſerious ſubject, I ſhall be obliged to you to inſert in your reſpectable Magazine. Yours, &c. HENRY MATY.

Britiſh Muſeum, Oct. 22. 1777.

I Should neither have withdrawn myſelf from the miniſtry of the church of England, nor have troubled the public with my reaſons for ſo doing, if I had not thought myſelf obliged to both. I truſt, therefore, that both the ſtep itſelf, and this account of my motives for taking it, will be treated with candour.

As a Chriſtian thoroughly ſatisfied with the evidence, and deeply ſolicitous about the ſucceſs of whatever had a tendency to promote the cauſe of Chriſtianity, I thought myſelf called upon to ſtudy the controverſy about ſubſcriptions. The following is an account of the effect that ſtudy has had upon my mind; which I offer as a vindication of my own conduct only, and hope it will be accepted as ſuch.

I have no objection to ſubſcriptions in general to articles of faith, which, notwithſtanding what has been urged againſt them by Burnet, the maſterly author of the Confeſſional, and others, ſeem to me both lawful and expedient; all the arguments that have been brought againſt them tending only to prove, that their uſe has been leſs hitherto than it might

have been, owing to the narrow principles on which they have been framed; conſiderations which, in my opinion, do not outweigh the objections ſtated by Dr Balguy to having none at all.

But ſatisfied as I ſhould be, for myſelf, with a ſubſcription of ſome ſort, and probably not a very general one neither, I cannot comply with that required of me to the preſent articles and liturgy, for the following reaſons.

1ſt, After beſtowing all the pains which I am able to give, in informing myſelf of what is the true ſcripture-doctrine of the Trinity, the only concluſion I have been able to arrive at is, that I ſee no ſufficient proof of the Athanaſian, and rather incline to the Arian hypotheſis.

2dly, I am clear, that the very dangerous doctrine, that unbaptized children are ſubject to the penalties of ſin, is aſſerted in the 9th article, and ſtill more ſtrongly in the ſervice for the public baptiſm of infants; and that it is not taught in the Bible.

3dly, I cannot help thinking, notwithſtanding what has been written by Dr Tucker, and others, upon the ſubject, that the 17th article does teach abſolute predeſtination: a doctrine likewiſe not found in the Bible, and of a ſtill more deſtructive tendency than that of original ſin. — Theſe are my principal objections. I have others to many parts of the ſervice; but do not mention them; partly becauſe they are to things generally complained of, and which will probably be removed whenever a reviſion takes place; and partly becauſe I do not know how far, had they been the only ones, they would have led me to think of a ſeparation.

This ſeparation I do now think myſelf authoriſed to; becauſe, believing the doctrines themſelves to be erroneous, I am not ſatisfied with any reaſons that I have ſeen given for continuing to ſubſcribe them under ſuch a perſuaſion. I cannot be thoroughly ſatisfied, that either the words in which it is drawn, or the King's declaration, juſtify me, who think with Arminius on the ſubject, in ſubſcribing the 17th article; the more as it is a ſubject which, in my opinion, *is to be diſputed upon*, and the *obvious ſenſe of the article preached againſt*, whenever opportunity offers.

If the plea made for ſubſcribing this one could avail me, I have no ſuch plea for ſubſcribing the articles relative to the Trinity, or continuing to read the parts of the liturgy relative either to them or the doctrine of original ſin. Theſe were not ſubjects of diſpute at the time the articles were drawn, and of courſe no ſalvo was made for them, except the general one of the ſixth article. But ſurely Dr Waterland very fully confuted Dr Clarke's ideas on this ſubject, in his caſe of Arian ſubſcriptions; and if he had not, the author of the Confeſſional has unanſwerably proved, that, if the ſixth article had been deſigned to juſtify thoſe who, willingly binding themſelves to ſupport the opinions of the majority, propagate opinions different from theirs, it might have juſtified the Roman Catholics, it might have juſtified the firſt ſeditious and mad diſgracers of Proteſtantiſm; whereas againſt both theſe the articles are well known to have been made. Neither Dr Powell's plea in favour of firſt ſubſcriptions, nor Mr Hey's conſiderations on obſolete ordinances, can be of ſervice to me, who at this time of life am not at liberty to ſubſcribe upon authority, and whoſe objections both to articles and liturgy are too extenſive to find a ſolution in the doctrine of obſolete ordinances.

Finally, I can neither ſubmit to acquieſce in ſilence, after having made my objections known, nor take upon me to alter the ſervice of the church as long as I continue to profeſs myſelf a miniſter of it. The latter, beſides its being of dangerous example, I rather think my voluntary promiſe to uſe the eſtabliſhed liturgy precludes me from. With the former I could only have been ſatisfied upon the ſuppoſition that the things complained of were indifferent, or, as they have been thought to be by many good men, of little importance: but as I ſhould in that caſe have thought it my duty to have waited for a change by public authority, without expreſſing any diſapprobation public or private; ſo, being of a very different opinion, that is, believing firmly, that ſome of the obnoxious doctrines ſtrike at the root of all religion, natural as well as revealed; and that nothing is of little importance which the Deiſts and Methodiſts can make ſo formidable uſe of as they are known to do of the ſubſcriptions of thoſe amongſt us who ſubſcribe what they profeſs not to believe; under theſe circumſtances I have nothing left me but the part on which I have determined; — and that is,

To

To withdraw myſelf from miniſtering in the church of England, either till our forms ſhall have undergone ſuch a reviſion and alteration as I think they ſtand in need of, or till time and farther ſtudy ſhall have prevailed upon me to view them in a different light from what I can do at preſent.

This I therefore thus publicly declare that I do, with becoming humility, with the utmoſt diffidence and regret for differing from ſuch numbers of wiſe and good men, and with the reſolution to perſiſt in ſuch ſtudies as may beſt ſerve the general cauſe of religion, at the ſame time that they bid faireſt for affording my own mind the conviction none can more ardently wiſh me than myſelf.

I will only add, that I do not mean to preclude myſelf from officiating in any other Proteſtant congregation; on the contrary, ſhould I ſee reaſon to believe that there is any number of pious people diſpoſed to attend a place of public worſhip, where a liturgy, not materially different from Dr Clarke's, ſhall be uſed, I will take the firſt opportunity which preſents itſelf of opening a place of public worſhip with ſuch a liturgy. In this I ſhall do no more than follow that ſtrong inclination which firſt led me to adopt, and will ever incline me to return to, the moſt pleaſing, the moſt honourable, the moſt uſeful of all occupations. [xxxvi. 362.] HENRY MATY.

A Letter to the Peers of Scotland, upon the 23d article of the Union, with a Supplement, and obſervations upon Privilege of Parliament. By a Peer of Ireland.

Sic vos non vobis.

My LORDS,

ALthough deſtitute of that profeſſional knowledge which inveſtigates with ſubtilty and preciſion, narrates with accuracy, and arranges with judgement, I hope it will not be altogether unacceptable to your Lordſhips, that I ſhould lay before you ſome obſervations, which may tend to emancipate you from the proſcription in which you ſtand, with reſpect to Privilege of Parliament.

I conſider your Lordſhips as barred, but not beyond a poſſibility of relief, from a participation of privilege in an integral capacity, of which the meaneſt of your fellow-ſubjects is ſuſceptible; I conſider you as ſubmitting, with becoming, yet indignant reſignation, to a conſtruction and reſtriction which, for ſixty ſix years, have doomed the Scottiſh Peers to political inanity.

If I can convince your Lordſhips, that there is yet a new ground, a latent unrevealed path of privilege, I ſhall have accompliſhed my moſt ardent wiſh, if I can tread it without ſtumbling.

To effectuate this, I ſhall ſtate three points:

1. That a Peer of Scotland has been created a Peer of Great Britain, and has been ſummoned to Parliament.

2. That the reſolution [after inſerted] is injurious in the higheſt degree to the Royal Family, inaſmuch as it clothes with privileges which their predeceſſors have invariably and ſucceſſively enjoyed and exerciſed for many ages.

3. I ſhall demonſtrate, that the heir-apparent to the crown may not have, or be capable of having, any title, by which he can be received a Peer of Parliament, otherwiſe than by a Scots election.

The Houſe of Peers make no partial conceſſions in point of privilege to particular perſons, however dignified or exalted in other reſpects; for this would deſtroy the very idea of legiſlation, and they would ceaſe to be *Pares*. Whoever, therefore, comes before them a claimant in point of privilege, can ſtand on no other footing than the *nuda lex et conſuetudo parliamenti*. If a conceſſion is made, dignity requires it ſhould be a rule.

I proceed to apply what has been ſaid to what has happened, and may happen; leaving the more minute diſcuſſion of the premiſſes to the Supplement.

"*January* 8. 1728-9. Frederick, late Prince of Wales, was created Earl of Cheſter, with the uſual limitation to him and his heirs, *Kings of England*, and the next day received ſummons to Parliament, (Bill ſignat. 2d Geo. II.) bearing then the titles of *Duke of Rothſay*, *Earl of Carrick*, *Baron of Renfrew*, and *Lord of the Iſles in Scotland*;—by which it would appear, that the H. of P. tacitly diſpenſed with their former reſolution, "That no Scots Peer, created a Britiſh Peer, could be ſummoned to Parliament by virtue of ſuch creation."

This inſtance ſeems to be perfectly in point; and is as problematically demonſtrative of the parity of ſituation, and claim of privilege, as that triangles upon the ſame baſe and between the ſame parallels are equal: It is preſumable their L——ps will rather be guided by precedent

cedent in favour of D. H. than occaſion a dilemma which will occur *ſome years hence*.

If that moſt excellent prince (F. P. W.) had not been created a Peer of Great Britain in his grandfather's time, in 1726, (12° Geo. I.) inſtead of 1727, (1° Geo. II.), he would not have had a ſingle title by which he could have been received a Peer of Parliament, otherwiſe than by a Scots election; and the incapacitation might have happened, if the P. of W. had not come of age in 1726, inſtead of 1727, for he was born in 1705.——Let us ſuppoſe,

That the King has a ſon who dies in his lifetime, leaving a ſon not created a Peer during his life, ſuch ſon could never have a ſeat in the Houſe of Peers in an integral capacity, as the reſolution of that Houſe now ſtands; for inſtantly the Dukedom of Cornwall (and Earldom of Cheſter *) would merge in the Crown, and be utterly extinct. The ſaid ſon would ſucceed to the titles of *Duke of Rothſay*, *Earl of Carrick*, and *Baron of Renfrew*; and, being a Scots Peer, how can he be created a Britiſh Peer with effect to ſit in Parliament?

There muſt, therefore, be three generations from the King to his grandſon in being, at the ſame time, to obviate this inconveniency; that is, the King's grandſon muſt be created a Peer of Great Britain in his father's lifetime, to be enabled to ſit in Parliament, when he approaches towards the ſucceſſion. So ſtanding the caſe, it is not eaſy to conceive a remedy; for there can be no act of Parliament, as it would not be deemed conſtitutional to obviate, by the legiſlature at large, a reſolution of one of its parts, which has an excluſive right to judge of its own privileges; and, upon this principle, the Houſe of Peers, by with-holding its concurrence, might prevent it from paſſing into a law.

Your Lordſhips may wiſh to know, whether the *Dukedom of Rothſay* is a deſcendible fee (in contradiſtinction to the *Dukedom of Cornwall*, which aſcends). That it is ſo, is evident from the ſucceſſive elections of the Sixteen Peers from 1750 to 1760; from the records of Chancery; and from the enumeration of ——'s titles when he ſucceeded to his father, and which were declared in Privy Council when he was created P. of W.

Stat. 11° Edward III. (1336) granting to his ſon Prince Edward the Duchy of Cornwall, "To have and to hold, &c. to the ſaid Duke, and to the firſt begotten ſon of him, and of *his heirs, Kings of England*, and Dukes of the ſaid place, that hereditarily ſucceed in the kingdom of England." And that it returned to the crown, was apparent in the caſe of Richard II. eldeſt ſon of Prince Edward, who died in the lifetime of Edward III. his father *; by means whereof, the ſaid Richard became lineal heir-male to the King and Crown; yet, becauſe he was not the eldeſt ſon of a King, but of a King's ſon, he was not Duke of Cornwall by virtue of that grant and limitation; and was created *Duke of Cornwall* (50° Edward III.) by letters-patent, and not by parliament; and the limitation of the Duchy to him was of the more general form,—"To him and his heirs, *Kings of England*."—By act 35° Henry VI. the Duke of Cornwall is to be preſumed of full age as ſoon as ever he is born; ſo that he may claim livery and ſeiſin of the ſaid Dukedom the ſame day he is born; and ought, by right, to obtain it, as if he had fully completed the age of twenty-one. But this, according to the aforementioned ſtatute, is limited to the firſt-born ſon and heir.—Eliſabeth, eldeſt daughter of King Edward IV. was not Ducheſs of Cornwall, becauſe the title is limited to the ſon; neither, as my author informs me, was Henry VIII. in the lifetime of his father, after the death of Prince Arthur, Duke hereof, becauſe he was not the eldeſt ſon: but, to my certain knowledge, Charles I. was Duke of Cornwall on his brother's deceaſe, on Nov. 6. 1612, as it was determined for him, grounded on ſeveral charters, authorities, and precedents, (*Vide* the Caſe of the Duchy of Cornwall, with the arguments of counſel, &c.); the King's ſons having been, by law, accounted Dukes of Cornwall in the firſt inſtant of their birth; and not only the eldeſt, but alſo the ſecond or other ſon, after the death of the firſt, or former who enjoyed the ſaid title: but he was not created *Prince of Wales, Earl of Cheſter and Flint*, till Nov. 4. 1616; and walked at his brother's funeral as chief mourner, not as *Prince of Wales*, but as *Duke of Cornwall*.

* The preſent P. W. is Earl of C.

* Edward, the Black Prince, was born at Woodſtock, June 15. 1330; was created Duke of Cornwall before he was ſeven years of age; and died June 8. 1376.

On

On the acceſſion of George I. to the imperial crown of theſe realms, by the demiſe of Q. Anne, Aug. 1. 1714, his Moſt Sacred Majeſty King George II. was Duke of Cornwall, and, as Prince of Scotland, *Duke of Rothſay*, *Earl of Carrick*, *Baron of Renfrew*, titles ſettled in 1399 by King Robert III. on David Prince of Scotland, his eldeſt ſon, perpetually appropriating thoſe titles to the future Princes when born.—There being no Prince of Scotland in being when Q. Mary took the Earl of Darnley to her huſband, ſhe inveſted him with the Dukedom of Rothſay *; but as he was declared King of Scotland by the eſtates of the realm, the devolution of that title was not proſcribed. Buchanan ſpeaks of the Dukedom of Rothſay in the following terms: "Biennio fere poſt, (nempe 1396), in conventu Ordinum Perthi, Rex Davidem filium, octodecim annos natum, Rotheſaiæ, Robertum fratrem, Taichiæ ac Fifæ jamdudum Comitem, Albiniæ Duces vocat. Hic vani honoris titulus tum primum inter Scotos, magno ambitionis, nullo virtutis incremento, eſt celebratus; nec cuiquam poſtea feliciter ceſſit. Comitem etiam Duglaſſiæ Rex voluit eodem titulo afficere: ſed ille, ut erat ſeverus, conſtanter ſpeciem ſupervacui honoris recuſavit; et ſi quis hoc ei nomen ominaretur, graviſſime increpabat."

Before I conclude, I ſhall beg leave to remark, that Edward, ſon of Edward of Carnarvon, never had the title of *Prince of Wales*, otherwiſe than in courteſy; as two famous antiquarians, Selden and Camden, have remarked. He was ſummoned to parliament, when *a child*, Earl of Cheſter and Flint.—Hall in his Chronicle, Life of Henry VII. pag. 56. ſays, That Henry, uncertain if the widow of Prince Arthur were pregnant or not, did not inveſt Henry Duke of York with the Principality of Wales and Earldom of Cheſter till 18th of February, after the death of his brother, in the caſtle of Ludlow, in Shropſhire, April 2. 1502, four months and fifteen days after his marriage with Catharine of Arragon. As to the Dukedom of Cornwall, he was literally *Duke or no Duke* till the *menſes incerti* had completed their legal courſe.

Supplement to the foregoing Obſervations.

Titles which have been granted ſince the Union, though locally and nominally Scotch, are Britiſh; as *Albany*, *Edinburgh*, *Strathern*. The Earldom of *Roſs*, notwithſtanding the act of annexation of the Scotch parliament in 1476, muſt henceforward be Britiſh alſo; the Royal Family being governed by the articles of Union, in every reſpect, as other ſubjects.

Scotch peers, by the 23d article of Union, are declared to be Britiſh peers, and are repreſented by a ſtipulated delegation. It has been held to be incompatible with the articles of Union, to admit that a Scotch peer (ſuppoſe, for my argument, one of the ſixteen) has any right to be ſummoned to parliament by a peerage created in him ſince the Union; yet there is no incompatibility in a member of the Houſe of Commons for Scotland being elected, returned, and ſeated for an Engliſh county or borough, notwithſtanding he may have been already elected and returned one of the forty-five members for Scotland, according to the article of Union in that behalf made and provided. By ſtatutory analogy, and parity of reaſoning upon implication, they are the Commons of Scotland returned to parliament *pro hac vice*. Claſſed as they ſtand upon the face of the article, the difference between the Peers and Commons is not eaſily to be perceived:

"The Lords of Parliament in England,
The ſixteen Peers of Scotland,
The members of the Houſe of Commons of the Parliament of England,
The forty-five members for Scotland,
ſhall aſſemble and meet reſpectively, in the reſpective Houſes of Parliament of the Parliament of Great Britain.

It is in vain for me to diſcover a diſcrepancy between the two orders of repreſentatives. Why are not the Commons confined to their character expreſſed in the return? and a Peer to be denied a character expreſſed in his patent?

A *foreigner* may ſit in the Houſe of Peers: a *Scots Peer* may not. The K—'s *natural ſon* may ſit: his [*lawful*] *grandſon*, under certain circumſtances, may not.

That foreigners have ſat, we need only mention,

Lewis de Bruges, Earl of Wincheſter.
William of Bavaria, Earl of Leiceſter, *jure uxoris*.
Dura, Earl of Feverſham, a Frenchman.

The Duke of Greenwich was admitted by the very ſame Houſe, which a

* Edictum publico præconio promulgavit, in quo Darlæus *Dux Rothe ſiæ* ac *Regiæ Comes* appellatur. *Buchanan.*

few years afterwards excluded the Duke fo Hamilton. [xxxvii. 146.]

The ingenious expedients which have been diſcovered to elude the effect of the incompetency, leave little reaſon to doubt of the ſuſceptibility being underſtood by both parties to be left *in ſtatu quo* 1ſt May 1707, [the day the Union commenced]; it not being declared, that the Britiſh and Scotch Peerages, when they meet, ſhall beget an incapacity, or be on a leſs intimate footing than a Bath acquaintance. It is that ſort of commerce, where a man keeps ſhop without any ſtock in trade; the *ſhift* of the mother is an act of political adultery, a privilege *in gremio*, and the ſon a relative without an antece dent. I need not paint to your Lordſhips the ſituation of the heir apparent upon ſuch an occaſion; but, if I might be permitted to gueſs,

Filius ante diem patrios inquirat in annos.

In ſhort, my Lords, it is as if your Lordſhips ſhould be told, that whereas there are but ſeven notes in muſic, performers ſhould confine themſelves to thoſe ſeven notes, as it is perfectly unneceſſary and abſurd to wander over the keys *ad libitum*, and to ſtretch an octave is not fair.

The late Prince of Wales was undoubtedly a Peer of Parliament in virtue of the *Dukedom of Cornwall*; but the queſtion in this caſe is intrinſically founded on incapacity to be ſummoned *Earl of Cheſter*. If it is ſaid, that no new privilege is acquired, it is a miſtake: for if we are to ſuppoſe, that a Peer of Scotland and of Great Britain (diſtinct peerages) can have a Peerage ſuperadded, with privilege to take his ſeat upon the latter title, the firſt Britiſh dignity may, in the third generation, be ſeparated, and for ever alienated, from the Scotch; and the ſecond Britiſh creation and the Scotch Peerage go hand in hand together. For example: A Scotch Peer is poſſeſſed of a Barony in fee. He is afterwards raiſed to a higher dignity, or has another Barony created in him, to deſcend to heirs-male. He leaves two ſons. The eldeſt has an only daughter; who carries the firſt Barony in fee out of the family: but the Scotch and ſecond male Peerage deſcend to the ſecond ſon and his heirs-male. This will be ſufficient to evince, that a Scotch Peer cannot, as matters now ſtand, be ſummoned by analogy, upon a title created in him, or ſuperadded to another Britiſh Barony, againſt which there may be no exception, and by virtue of which he may enjoy the uſual privilege. It would have the effect to veſt a capacity in a Scotch Peer who would otherwiſe be incapacitated, and that capacity is purchaſed by a Scotch Peer. But, my Lords, the creating an unſeated *Scotch Peer* a *Britiſh Peer* is a ſuperadditional title; for they are held to be Peers of Great Britain: Therefore it was unneceſſary for me to add a *ſtorey* to the ſuperſtructure. ——Piere Williams reports the reſolution of the Houſe in theſe words:

"*Die Jovis*, 20*mo Decembris*, 1711.

"The difficulty was, That, in the late Duke of Hamilton's caſe, it was reſolved by the Lords, *That no patent of honour granted to any Peer of Great Britain who was a Peer of Scotland at the time of the Union, ſhould entitle him to ſit in Parliament.*"

Again: "Duke of Brandon.—A patent having been granted to the Duke of Hamilton of that title, the ſame was ordered to be conſidered, 12th December 1711.—Counſel were ordered to be heard for his Grace. 18th December, heard accordingly.—The patent was conſidered, and a reſolution made againſt *any* Scotch Peer ſitting in the Houſe by *any* Peerage granted ſince the Union; and a proteſtation on it, 20th December, 1711."

Callendar, Journal *Dom. Procer.*

"*Die Jovis*, 30*mo Decembris*, 1711.

"After conſidering the patent for creating the Duke of Hamilton Duke of Brandon, and debate concerning the matter, the queſtion was put, *That no patent of honour granted to any Peer of Great Britain who was a Peer of Scotland at the time of the Union, can entitle ſuch Peer to ſit and vote in Parliament, or to ſit on the trials of Peers.* Contents 57. Non-contents 52."

A proteſt was taken, in conſequence of this reſolution, by many Peers of both kingdoms; and, as puniſhment often follows an infraction or violation of privilege, your Lordſhips are the beſt judges whether you have eſcaped with impunity.

The H. of P. in the Duke of Queenſberry's caſe, found, That a Britiſh creation, or remainder founded in error, notwithſtanding his father had ſat in Parliament, ought not to have been attended with privilege [xxxvii. 146.]; conſequently privilege of P. is defeaſible. But when his Grace thought fit to plead from nonage unſuſceptibility of acceptance and urged revocation, the defeaſance

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was held to be inadmiſſible *. Nothing but a violation of thoſe laws which he was called upon to defend, could enable him to be of ſervice to his S—, whom he muſt firſt offend. Had the patent of Solway contained a remainder to his brother Lord George Douglas, it would have been impoſſible to revoke it; and if there had been remainder in both patents in his favour, upon his elder brother's death *ſine prole*, he might have been both Earl of Solway and Duke of Dover, without incurring incapacity, though preciſely in his brother's incapacitating ſituation, becauſe a Commoner at the time the contingency of the Britiſh dignity was granted to him.

But the Peerage of England, notwithſtanding what has been ſaid, and beſides Lord Abergavenny's caſe, affords an inſtance of reſignation, which I have not ſeen quoted, in the caſe of John Nevil (younger ſon to Richard Nevil, Earl of Saliſbury, and brother to the famous Earl of Warwick) who was created *Earl of Northumberland* by letters-patent, dated at York, May 28. 1463, (3° Edw. IV.) upon the attainder of Henry Percy ſecond Earl of Northumberland, in the parliament held Nov. 4. 1461, in conſequence of the battle of Towton; in which Parliament, Henry VI. Margaret his Queen, and Edward called *Prince of Wales*, were alſo attainted. The King being deſirous to tempt the fidelity of a family which had been adverſe to hi pretenſions, obtained a reſignation from Nevil of the ſaid earldom, as appears in Cart. 10° Edw. IV. n. 1.; then reſtored Henry Algernon Percy (now become third Earl of Northumberland) to his father's honours; and, in lieu thereof, created Nevil *Marquis of Montagu*, or *Montacute*, by letters-patent, dated March 25. 1470, (10° Edward IV.). He was father of John Duke of Bedford, ſo created in his lifetime; but was deprived of his dignity, becauſe he had not wherewithal to ſupport it.

It has been alledged by many, that a certain Noble Duke cannot, with propriety, be reſtored in full to the honours of his Noble progenitor; but I doubt the validity of the aſſertion: for, granting that Mordaunt Earl of Monmouth is Earl of the very ſame place of which Fitzroy was Duke, we have many inſtances of the ſame place not only giving a double title, by different degrees of nobility, to the ſame perſon, but of two Peers taking their titles from the ſame place or family. To exemplify the firſt: His late Majeſty was created by Q. Anne *Marquis* and *Duke of Cambridge*, which titles did not deſcend to his ſon; becauſe all titles which merge in the crown, are extinct and at the King's diſpoſal. The Duke of Norfolk is *Duke* and *Earl of Norfolk*, created (not reſtored) *Earl of Norfolk*, by letters patent, June 6. 1644, (10° Cha. I.) at the time the family ſtood attainted of the Dukedom of Norfolk. I mention this in contradiſtinction to the Duke of B. who being a Scotch Peer, could not be created by patent. But the attainder of the Duke of M——— was reverſed in part; ſo that he took by ſucceſſion according to the original creation: (Yet though he took by the original creation, the intermediate heirs are not reſtored in blood; ſo that Lord D——— cannot be Earl of D——r.) But the family of Norfolk were doubly Earls of Norfolk, upon the reverſal of the attainder (May 8. 1664) by right of deſcent, confirmed June 27. 1189, (1° Rich. I.) as well as by the patent of 1644.—In confirmation of the ſecond, Margaret de Brotherton and Thomas Mowbray were at the ſame time created *Duke* and *Ducheſs of Norfolk*, by Richard II. The Duke of Portland is *Marquis of Titchfield*; the Earl of Gainſborough, *Baron Noel of Titchfield*, an eſtate which deſcended to thoſe families by co-heireſſes of the Earl of Southampton. The Earl of Pembroke is *Baron Herbert of Cardiff*, and Lord Mountſtuart is *Baron of Cardiff Caſtle* [xxxviii. 280.], which is parcel of the ſaid town of Cardiff. The Duke of Leeds is *Viſcount Latimer*, the name of a family. Earl Percy and Lord Rollo are heirs in abeyance to the Barony of Latimer, together with the Duke of Leeds. Sir Edward Seymour, the Protector, was created *Viſcount Beauchamp*, June 5. 28° Hen. VIII. deſcended of a co-heir of Beauchamp Baron of Hacche, to him and his heirs-male *. The Barony in fee was at the King's diſpoſal, who might have confirmed it on any of the repreſentatives, and by this operation there might be two Lords Latimer and Beauchamp; and eventually, without ſuch operation, the ſole and excluſive right ſhould be in the laſt remaining heir by the extinction of the ſeveral heirs in abeyance.

* Charles Brandon was created Viſcount Liſle, and the patent was revoked by Henry VIII.—ſurrendered in favour of Arthur Plantagenet.

* This title is now in the Earl of Hertford.

I hope your Lordſhips will be indulgent enough to excuſe any incoherency in the courſe of my obſervations. They are of ſuch a nature as to require being catched at the moment they occur; and their effect might be loſt, and the fancy blunted, if I were to attempt a laboured correction. I have not gone beyond my ſphere, to draw any legal inferences, either from facts or hypotheſes. I truſt I have invariably adhered to truth; at leaſt, if I have not, it ought not to be aſcribed to licence. I mean to offend no party; it has been my wiſh to do good; and, if I have opened a door for ſerious conſideration, I ſhall cheerfully take my ſtation where your ſenſe of my deſerts ſhall think proper to place me. I take my leave of your Lordſhips, with my hearty wiſhes for your proſperity and aggrandizement, and live in expectation of ſeeing them accompliſhed.

Your Lordſhips moſt devoted and moſt humble ſervant,

A PEER.

Cal. Merc. Dec. 29.

An account of the perſon ſtyled in England The Pretender, *and in Italy* Il Re, *(The King).*

From *Letters from Italy, deſcribing the manners, &c. of that country, in the years* 1770 *and* 1771, *by an Engliſhwoman,* [*Mrs Miller of Bath Eaſton, who made the tour with her huſband.*]

Jan. 7. *at night.* I told you in this letter that we paſſed part of yeſterday evening at the Ducheſs of Bracciano's: as we were there early, before much company was arrived, ſhe was ſo obliging as to enter into a particular converſation with me. We were ſeated on a ſofa, when one of the gentlemen in waiting entered, and announced "Il Re." As there were many rooms to paſs before this perſonage could appear, ſhe ſeized that opportunity to deſire me, upon no account to ſpeak to, or take the leaſt notice of him; as it was not only what ſhe inſiſted upon in her houſe, but that it was the Pope's deſire, that no ſtranger, particularly Engliſh, ſhould hold any converſation with him. I aſſured her, my principles were diametrically oppoſite to thoſe of the Stuart family and their party; adding more of the like ſort: but I concluded with ſaying, that, if he ſpoke to me, I could not, as a gentlewoman, refrain from anſwering him, conſidering him only in the light of a gentleman; and ſhould treat him as I would do any other foreigner or native, with that general civility requiſite on ſuch occaſions. She ſtill inſiſted upon my not anſwering, ſhould he ſpeak to me; with which I refuſed to comply. I think I was right. My reaſons were theſe: I knew before, that no gentlemen of the Britiſh empire make themſelves known to him, but on the contrary avoid it, except ſuch as declare themſelves diſaffected to the preſent royal family; at leaſt, ſo it is underſtood at Rome. I had alſo heard, that he politely avoided embarraſſing them by throwing himſelf in their way: but, as I am not a man, it ſtruck me as very ridiculous for me, a woman, not to reply to the Pretender, if he ſpoke to me, as ſuch a caution would bear the appearance of paſſing myſelf for being of political conſequence. Added to theſe conſiderations, I had great curioſity to ſee him, and hear him ſpeak.—But to return:

He entered the room, and, bowing very politely to the company, advanced to the individual ſopha on which I was placed with the Ducheſs of Bracciano, and ſeated himſelf by me. Having previouſly made me a particular bow, which I returned with a low curtſey, he endeavoured to enter into a converſation with me; which he effected, by addreſſing himſelf equally to the Ducheſs, another lady, and myſelf. At laſt he addreſſed me in particular, and aſked me how many days ſince my arrival at Rome, how long I ſhould ſtay, and ſeveral ſuch queſtions. This converſation paſſed in French.—What diſtreſſed me was how to ſtyle him. —I had but a moment for reflection; it ſtruck me, that *Mon Prince* (though the common appellation, as in France, to every ſtranger whoſe rank as a prince is the moſt dubious) would not come well from me, as it might admit of a double ſenſe in an uncandid mind.—*Highneſs* was equally improper. So I hit upon what I thought a middle courſe, and called him *Mon Seigneur* *. I wiſhed to ſhorten the converſation: for all on a ſudden he ſaid, "Speak Engliſh, Madam." Before I could reply, the Ducheſs of Monte Libretti came up, and pulled me by the ſleeve: I went with her to a card-table at which ſhe was going to play: I declined playing, not being perfect in the games; beſides you know I hate cards.

* [Up Roſe's ſituation in 1668-9 [xiii. 608,9] was more ticklish than that of this lady in 1770-71.]

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At my departure, I took leave of the Ducheſs of Bracciano (agreeable to the cuſtom); and the Chevalier, who played at her table, officiouſly civil, roſe up, and wiſhed me a good night.

He is naturally above the middle ſize, but ſtoops exceſſively; he appears bloated and red in the face, his countenance heavy and ſleepy, which is attributed to his having given into exceſs of drinking; but, when a young man, he muſt have been eſteemed handſome. His complexion is of the fair tint, his eyes blue, his hair light brown, and the contour of his face a long oval; he is by no means thin, has a noble preſence, and a graceful manner: his dreſs was ſcarlet, laced with a broad gold lace; he wears the blue riband outſide of his coat, from which depends a cameo (antique) as large as the palm of my hand; and wears the ſame garter and motto as thoſe of the noble order of St George in England: upon the whole, he has a melancholic, mortified appearance. Two gentlemen conſtantly attend him; they are of Iriſh extraction, and Roman Catholics you may be ſure.

This evening, after quitting the Cardinal's, we were at the Princeſs Palaſtrine's converſazione, where he was alſo. He addreſſed me as politely as the evening before. The Princeſs deſired me to ſit by her; ſhe played with him: he aſked me, if I underſtood the game of Tarrocchi, (what they were about to play at); I anſwered in the negative; upon which, taking the pack in his hands, he deſired to know if I had ever ſeen ſuch odd cards: I replied, that they were very odd indeed: he then, diſplaying them, ſaid, "Here is every thing in the world to be found in theſe cards, the ſun, the moon, the ſtars; and here, ſays he, (ſhewing me a card) is the Pope; here is the devil, and added, there is but one of the trio wanting, and you know who that ſhould be." I was ſo amazed, ſo aſtoniſhed, though he ſpoke this laſt in a laughing, good-humoured manner, that I did not know which way to look; and as to a reply, I made none, but avoided cultivating converſation as much as poſſible, leſt he ſhould give our converſation a political turn. What paſſed afterwards was relative to ſome of the Engliſh manners and amuſements; ſuch as, whether Whiſt was in faſhion at London, the aſſemblies numerous, &c. I was heartily glad when my viſit was finiſhed.

AMERICA. [667.]

An intercepted original letter from Gen. Waſhington to his lady.

To Mrs Waſhington, &c.

June 24. 1776.

My deareſt Life and Love,

YOU have hurt me, I know not how much, by the inſinuation in your laſt, that my letters to you have lately been leſs frequent becauſe I have felt leſs concern for you. The ſuſpicion is moſt unjuſt; — may I not add, it is moſt unkind? Have we lived, now almoſt a ſcore of years, in the cloſeſt and deareſt conjugal intimacy, to ſo little purpoſe, that, on an appearance only of inattention to you, and which you might have accounted for in a thouſand ways more natural, and more probable, you ſhould pitch upon that ſingle motive which alone is injurious to me? I have not, I own, wrote ſo often to you as I wiſhed, and as I ought. But think of my ſituation, and then aſk your heart if I be without excuſe. We are not, my deareſt, in circumſtances the moſt favourable to our happineſs; but let us not, I beſeech you, idly make them worſe, by indulging ſuſpicions and apprehenſions, which minds in diſtreſs are but too apt to give way to. I never was, as you have often told me, even in my better and more diſengaged days, ſo attentive to the little punctilios of friendſhip as, it may be, became me; but my heart tells me there never was a moment in my life, ſince I firſt knew you, in which I did not cleave and cling to you with the warmeſt affection; and it muſt ceaſe to beat ere it can ceaſe to wiſh for your happineſs above any thing on earth.

I congratulate you moſt cordially on the fair proſpect of recovery of your amiable daughter-in-law; nor can I wonder that this ſecond loſs of a little-one ſhould affect you: I fear the fatigues of a journey, and the perpetual agitations of a camp, were too much for her. They are, however, both young and healthy, ſo that there can be little doubt of their ſoon repairing the loſs.

And now will my deareſt love permit me, a little more earneſtly than I have ever yet done, to preſs you to conſent to that ſo neceſſary, ſo ſafe, and ſo eaſy, though ſo dreadful a thing, the being inoculated? It was always adviſeable; but at this juncture it ſeems to be almoſt abſolutely neceſſary. I am far from be-

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ing ſure that that reſtleſs madman our quondam Governor, from the mere luſt of doing miſchief, will not ſoon betake himſelf to the carrying on a predatory war in our rivers. And as Potowmack will certainly be thought moſt favourable for his purpoſes, as affording him ſcope to keep without the reach of annoyance, I have little reaſon to flatter myſelf that it would not be particularly pleaſing to him to vent his ſpite at my houſe. Let him; it would affect me as it might affect you; and for this reaſon, among others, I wiſh you out of his reach. Yet I think I would not have you quit your houſe, profeſſedly, from an apprehenſion of a viſit from him. An appearance of fearfulneſs and timidity, even in a woman of my family, might have a bad effect; but I muſt be ſomething more or leſs than man, not to wish you out of the way of a danger, which, to ſay the leaſt, muſt be diſagreeable to you, and could do good to no one. All this makes for your going to Philadelphia [478.], a place of perfect ſecurity; and it would almoſt be worth while to be inoculated, if it were only for the fair pretence it furniſhes you with of quitting Virginia, at a time when I could not but be exceedingly uneaſy at your remaining in it. But I flatter myſelf, any further arguments will be unneceſſary, when I ſhall add, as I now do, that till you have had the ſmall-pox, anxiouſly as elſe I ſhould wiſh for it, I never can think of conſenting to your paſſing the winter here in quarters with me.

I would have Lund Waſhington immediately remove all the unmarried and ſuſpicious of the ſlaves, to the quarters in Frederick. The harveſting muſt be got in by hirelings. Let him not keep any large ſtock of grain trod out, eſpecially at the mill, or within the reach of water-carriage; and in particular, let as little as may be, be left at Clifton's quarters. It will not be too late, even in the firſt week of July, to ſow the additional ſupply of hemp and flax ſeed, which Mr Mifflin has procured for me in Philadelphia, and which I hope will be with you before this letter. For obvious reaſons, you will not ſow it on the iſland, nor by the water-ſide. But I hope you will have a good crop on the Ohio. If Bridgey continues refractory and riotous, though I know you can ill ſpare him, let him by all means be ſent off, as I hope Jack Curtis's boy Joe already is, for his raſcineſs, at Cambridge.

My attention is this moment called off to the diſcovery, or pretended diſcovery, of a moſt wild and daring plot. It is impoſſible as yet, to develope the myſtery in which it either is or is not ſuppoſed to be involved. Thus much only I can find out with certainty, that it will be a fine field for a war of lies on both ſides. No doubt it will make a good deal of noiſe in the country; and there are ſome who think it uſeful to have the minds of the people kept conſtantly on the fret by rumours of this ſort. For my part, I who am ſaid to be the object principally aimed at in it, find myſelf perfectly at my eaſe; and I have mentioned it to you only from an apprehenſion, that, hearing it from others, and not from me, you might imagine I was in the midſt of danger that I knew not of *.

The perpetual ſolicitude of your poor heart about me is certainly highly flattering to me; yet I ſhould be happy to be able to quiet your fears. Why do you complain of my reſerve? or how could you imagine that I diſtruſted either your prudence or your fidelity? I have the higheſt opinion of them both. But why ſhould I teaſe you with tedious details of ſchemes and views which are perpetually varying, and which therefore might not improbably miſlead, where I meant to inform you? Suffice it that I ſay, what I have often before told you, that as far as I have the controul of them, all our preparations of war aim only at peace. Neither do I, at this moment, ſee the leaſt likelikood of there being any conſiderable military operations this ſeaſon; and, if not in this ſeaſon, certainly in no other. It is impoſſible to ſuppoſe, that in the leiſure and quiet of winter-quarters, men will not have the virtue to liſten to the dictates of plain common ſenſe and ſober reaſon. The only true intereſt of both ſides is reconciliation, nor can there be a point in the world clearer, than that both ſides may be loſers by war, in a

[* The plot at New York [xxxviii. 416. 539.] is probably here alluded to. Accounts were received at London about the end of December 1776, that Mr David Matthews, the loyal mayor of New York, who was ſentenced to ſuffer death, but afterwards reprieved *ſine die* [xxxviii. 651.], had returned to that city, having made his eſcape from Litchfield; and we find him, in March 1777 [188.], joining with others, in renouncing all ſubmiſſion to the provincial or continental congreſſes, &c.

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manner which even peace will not ſoon compenſate for. We muſt at laſt agree and be friends; for we cannot live without them, and they will not without us; and a byſtander might well be puzzled to find out, why as good terms cannot be given and taken now, as when we ſhall have well nigh ruined each other by the mutual madneſs of cutting one another's throats. For all theſe reaſons, which cannot but be as obvious to the Engliſh commiſſioners, and ours, as they are to me; I am at a loſs to imagine how any thing can ariſe to obſtruct a negotiation, and, of conſequence, a pacification. You, who know my heart, know that there is not a wiſh nearer to it than this is; but I am prepared for every event, one only excepted, — I mean a diſhonourable peace. Rather than that, let me, though it be with the loſs of every thing elſe I hold dear, continue this horrid trade, and by the moſt unlikely means, be the unworthy inſtrument of preſerving political ſecurity and happineſs to them, as well as to ourſelves. Pity this cannot be accompliſhed, without fixing on me the ſad name *rebel*. I love my king; you know I do: a ſoldier, a good man cannot but love him. How peculiarly hard then is our fortune to be deemed traitors to ſo good a king! But I am not without hopes that even he will yet ſee cauſe to do me juſtice; poſterity I am ſure will. Mean while I comfort myſelf with the reflection, that this has been the fate of the beſt and braveſt men, even of the barons who obtained Magna Charta, whilſt the diſpute was depending. This, however, anxiouſly as I wiſh for it, it is not mine to command: I ſee my duty, that of ſtanding up for the liberties of my country, and whatever difficulties and diſcouragements lie in my way, I dare not ſhrink from it; and I rely on that being, who has not left to us the choice of duties, that, whilſt I conſcientiouſly diſcharge mine, I ſhall not finally loſe my reward. If I really am not a bad man, I ſhall not long be ſo ſet down.

Aſſure yourſelf, I will pay all poſſible attention to your recommendations. But, happy as I am in an opportunity of obliging you, even in the ſmalleſt things, take it not amiſs that I uſe the freedom with you to whiſper in your ear to be ſparing of them. You know how I am circumſtanced: hardly the promotion of a ſubaltern is left to me: and free and independent as I am, I reſolve to remain ſo. I owe the Congreſs no obligations for any perſonal favours done to myſelf; nor will I run in debt to them for favour to others. Beſides, I am mortified to have to aſk of them what, in ſound policy, (if other motives had been wanting), they ought to have granted to me unaſked. I cannot deſcribe to you the inconveniencies this army ſuffers for want of this conſequence being given to its commander in chief. But, as theſe might be increaſed, were my peculiar ſituation in this reſpect generally known, I forbear, only enjoining your cautious ſilence on this head. In a regular army, our Virginia young men would certainly, in general, make the beſt officers; but I regret that they have not now put it in my power juſtly to pay them this compliment. They diſlike their northern allies; and this diſlike is the ſource of infinite miſchiefs and vexations to me. In the many diſputes and quarrels of this ſort which we have had, one thing has particularly ſtruck me. My countrymen are not inferior in underſtanding, and are certainly ſuperior in that diſtinguiſhed ſpirit and high ſenſe of honour which ſhould form the character of an officer; yet, ſomehow or other, it for ever happens, that, in every altercation, they are proved to be in the wrong; and they expect of me attentions and partialities which it is not in my power to ſhew them.

Let me rely that your anſwer to this will be dated in Philadelphia. If I am not very buſily engaged, (which I hope may not be the caſe), perhaps I may find ways and means to pay you a viſit of a day or two; but this I rather hint as what I wiſh, than what I dare bid you expect. If you ſtill think the fragments of the ſet of greys I bought of Lord Botetourt unequal to the journey, let Lund Waſhington ſell them ſingly, or otherwiſe, as he can, to the beſt advantage, and purchaſe a new ſet of bays. I could, as you deſire, get them here, and perhaps on better terms; but I have a notion, whether well or ill-founded I know not, that they never anſwer well in Virginia. — I beg to be affectionately remembered to all our friends and relations; and that you will continue to believe me to be your moſt faithful and tender huſband. G. W.

[This letter is dated only ten days before the date of the declaration of Independence. [xxxviii. 423].

A letter from Mr Jacob Duché, *late chaplain to the Congreſs, to Gen. Waſhington.*

SIR, *Oct. 8. 1777.*

IF this letter ſhould find you in council, or in the field, before you read another ſentence, I beg you to take the firſt opportunity of reſting, and weighing its important contents.

You are perfectly acquainted with the part I formerly took in the preſent unhappy conteſt. I was, indeed, among the firſt to bear my public teſtimony againſt having any recourſe to threats, or indulging a thought of an armed oppoſition. The current, however, was too ſtrong for my feeble efforts to reſiſt. I wiſhed to follow my countrymen as far only as virtue, and the righteouſneſs of their cauſe, would permit me. I was, however, prevailed on, among the reſt of my clerical brethren in this city, to gratify the preſſing deſires of my fellow-citizens, by preaching a ſermon to the ſecond city-battalion. I was preſſed to publiſh this ſermon, and reluctantly conſented. From a perſonal attachment of near twenty years ſtanding, and high reſpect for your character, in private as well as in public life, I took the liberty of dedicating this ſermon to you. I had your affectionate thanks for my performance, in a letter, wherein was expreſſed, in the moſt delicate and obliging terms, your regard for me, and your wiſhes for a continuance of my friendſhip, and approbation of your conduct. Farther than this, I intended not to proceed. My ſermon ſpeaks for itſelf, and wholly diſclaims the idea of Independency. My ſentiments were well known to my friends; I communicated them, without reſerve, to many reſpectable members of Congreſs, who expreſſed their warm approbation of them then. I perſiſted, to the very laſt moment, to uſe the prayers for my Sovereign, though threatened with inſults from the violence of a party.

Upon the Declaration of Independency, I called my veſtry, and ſolemnly put the queſtion to them, Whether they thought it beſt, for the peace and welfare of the congregation, to ſhut up the churches, or to continue the ſervice without uſing the prayers for the Royal Family? This was the ſad alternative; I concluded to abide by their deciſion, as I could not have time to conſult my ſpiritual ſuperiors in England. They determined it moſt expedient, under ſuch critical circumſtances, to keep open the churches, that the congregations might not be diſperſed, which we had great reaſon to apprehend.

A very few days after the Declaration of Independency, I received a letter from Mr Hancock, ſent by expreſs to Germantown, where my family were for the ſummer ſeaſon, acquainting me I was appointed Chaplain to the Congreſs, and deſiring my attendance next morning at nine o'clock. Surpriſed and diſtreſſed as I was, by an event I was not prepared to expect; obliged to give an immediate attendance, without the opportunity of conſulting my friends; I eaſily accepted the appointment. I had but one motive for taking this ſtep: I thought the churches in danger, and hoped, by this means, to have been inſtrumental in preventing thoſe ills I had ſo much reaſon to apprehend. I can, however, with truth declare, I then looked upon Independency rather as an expedient, and hazardous, or, indeed, thrown out *in terrorem*, in order to procure ſome favourable terms, than a meaſure that was to be ſeriouſly perſiſted in at all events. My ſudden change of conduct will clearly evince this to have been my idea of the matter.

Upon the return of the committee of Congreſs, appointed to confer with Lord Howe [xxxviii. 587.], I ſoon diſcerned their whole intentions. The different accounts which each member gave of this conference, the time they took to make up the matter for public view, and the amazing diſagreement between the news-paper accounts and the relation I myſelf had from the mouth of one of the committee, convinced me there muſt have been ſome unfair and ungenerous procedure. This determination to treat on no other ſtrain than that of Independency, which put it out of his Lordſhip's power to mention any terms at all, was a ſufficient proof to me, that Independency was the idol they had long wiſhed to ſet up, and that, rather than ſacrifice this, they would deluge their country with blood.

From this moment I determined upon my reſignation, and, in the beginning of October 1776, ſent it in form to Mr Hancock, after having officiated only two months and three weeks; and from that time, as far as my ſafety would permit, I have been oppoſed to all their meaſures.

This circumſtantial account of my conduct

conduct I think due to the friendship you were so obliging as to express for me, and I hope will be sufficient to justify any seeming inconsistencies in the part I have acted.

And now, dear Sir, suffer me, in the language of truth and real affection, to address myself to you. All the world must be convinced you are engaged in the service of your country from motives perfectly disinterested. You risked every thing that was dear to you, abandoned all the sweets of domestic life, which your affluent fortune could give the uninterrupted enjoyment of. But had you, could you have had, the least idea of matters being carried to such a dangerous extremity? Your most intimate friends shuddered at a thought of separation from the mother-country, and I took it for granted that your sentiments coincided with theirs. What then can be the consequence of this rash and violent measure, and degeneracy of representation, confusion of councils, blunders without number? The most respectable characters [xxxvi. 660. xxxvii. 20. 21.] have withdrawn themselves, and are succeeded by a great majority of illiberal and violent men. Take an impartial view of the present Congress, and what can you expect from them? Your feelings must be greatly hurt by the representation of your natural province. You have no longer a Randolph, a Bland, or a Braxton, men whose names will ever be revered! whose demands never ran above the first ground on which they set out, and whose truly glorious and virtuous sentiments I have frequently heard with rapture from their own lips! — Oh! my dear Sir, what a sad contrast of characters now present! others whose friends can never mingle with your own. Your Harrison alone remains, and is disgusted with his unworthy associates. As to those of my own province, some of them are so obscure, that their very names were never in my ears before, and others have only been distinguished for the weakness of their understandings, and the violence of their tempers. One alone I except from the general charge, — a man of virtue, — dragged reluctantly into their measures, and restrained, by some false ideas of honour, from retreating, after having gone too far. You cannot be at a loss to discover whose name answers to this character. From the New-England provinces can you find one that, as a gentleman, you could wish to associate with, unless the soft and mild address of Mr Hancock can atone for his want of every other qualification necessary for the seat he fills? Bankrupt attornies, and men of desperate fortunes, are his colleagues. Maryland no longer sends a Tilghman and a Carrol. Carolina has lost its Lynch, and the Elder Middleton has retired.

Are the dregs of Congress then still to influence a mind like yours? These are not the men you engaged to serve; these are not the men that America has chosen to represent her. Most of them were chosen by a little, low faction; and the few gentlemen that are among them now are well known to lie on the balance, and looking up to your hand alone to turn the beam: 'Tis you, Sir, and you only, who support the present Congress: of this you must be fully sensible. Long before they left Philadelphia, their dignity and consequence was gone; what must it be now since their precipitate retreat? I write with freedom, but without invective; I know these things to be true, and I write to one whose own observation must have convinced him that they are so.

After this view of the Congress, turn to the army. — The whole world knows that its only existence depends upon you; that your death or captivity disperses it in a moment; and that there is not a man on the same side the question in America capable of succeeding you. As to the army itself, what have you to expect from them? Have they not frequently abandoned you in the hour of extremity? Can you, have you the least confidence in a set of undisciplined men and officers, many of whom have been taken from the lowest of the people, without principle, without courage? Take away those who surround your person, how very few are there you can ask to sit at your table?

As to your little navy, of that little, what is left? Of the Delaware fleet part are taken, the rest must soon surrender. Of those in other provinces, some are taken, one or two at sea, and others lying unmanned and unrigged in your harbours: and now where are your resources?

Oh! my dear Sir, how sadly have you been abused by a faction, void of truth, and void of tenderness to you and your country? They have amused you with

hopes of a declaration of war on the part of France. Believe me, from the beſt authority, it was a fiction from the firſt. Early in the year 1776, a French gentleman was introduced to me, with whom I became intimately acquainted. His buſineſs to all appearance was to ſpeculate in the mercantile way; but I believe it will be found, that in his country he moved in a higher ſphere. He ſaw your cauſe. He became acquainted with all your military preparations. He was introduced to your Congreſs, and engaged with them in a commercial contract. In the courſe of our intimacy, he has frequently told me, that he hoped the Americans would never think of independency: and he gave me his reaſons. Independency can never be ſupported, unleſs France declare war againſt England. I well know the ſtate of her finances: years to come will not put them in a ſituation to enter upon a breach with England. At this moment there are two parties in the court of Verſailles; one enliſted under the Duke de Choiſeul, the other under Count Maurepas. Choiſeul has no chance of ſucceeding, though he is violent for war: Maurepas muſt get the better; he is for œconomy and peace. This was his information, which I mentioned to ſeveral members of the Congreſs: they treated it as a fable, depending entirely on Dr Franklin's intelligence. The truth of the matter is this: Dr Franklin built upon the ſucceſs of Choiſeul. Upon his arrival in France, he found him out of place, his counſels reprobated, and his party dwindled into an inſignificant faction: this you may depend upon to be the true ſtate of affairs in France, or the court of Dr F———. And further, by numbers of letters found on board prizes taken by the King's ſhips, it appears, that all commerce with the merchants, through whom all your ſupplies have been conveyed, will be at an end; the letters being full of complaints of no remittances from America, and many individuals having *generally* ſuffered.

From your friends in England you have nothing to expect: their numbers have diminiſhed to a cipher; the ſpirit of the whole nation is in activity; a few ſounding names among the nobility, though perpetually ringing in your ears, are without influence. Diſappointed ambition has made them deſperate, and they only wiſh to make the deluded Americans inſtruments of revenge. All orders and ranks of men in Great Britain are now unanimous, and determined to riſk their all with content. Trade and manufactures are found to flouriſh, and new channels are continually offering, that will perhaps more than ſupply the loſs of the old.

In America, your harbours are blocked up: your cities fall one after another; fortreſs after fortreſs, battle after battle is loſt *. A Britiſh army, having paſſed unmoleſted through a vaſt extent of country, have poſſeſſed themſelves of the capital of America. How unequal the conteſt! How fruitleſs the expence of blood! Under ſo many diſcouraging circumſtances, can virtue, can honour, can the love of your country, prompt you to proceed? Humanity itſelf, and ſure humanity is no ſtranger to your breaſt, calls upon you to deſiſt.—Your army muſt periſh for want of common neceſſaries, or thouſands of innocent families muſt periſh to ſupport them; where-ever they encamp, the country muſt be impoveriſhed; where-ever they march, the troops of Britain will purſue, and muſt complete the deſtruction which America herſelf hath begun. Perhaps it may be ſaid, it is better to die than to be made ſlaves. This indeed is a ſplendid maxim in theory, and perhaps in ſome inſtances may be found experimentally true; but when there is the leaſt probability of an happy accommodation, ſurely wiſdom and humanity call for ſome ſacrifices to be made, to prevent inevitable deſtruction. You well know, there is but one invincible bar to ſuch an accommodation: could this be removed, other obſtacles might readily be removed.

It is to you, and you alone, your bleeding country looks, and calls aloud for this ſacrifice; your arm alone has ſtrength ſufficient to remove this bar; may Heaven inſpire you with the glorious reſolution of exerting your ſtrength at this criſis, and immortalizing yourſelf as a friend and guardian to your country. Your penetrating eye needs not more explicit language to diſcern my meaning; with that prudence and delicacy, therefore, of which I know you poſſeſſed, repreſent to Congreſs the indiſpenſable neceſſity of reſcinding the haſty and ill-adviſed Declaration of Independency. Recommend, and you have an undoubted

* [This letter is dated before the time that Gen. Burgoyne's diſaſter [660.] happened.]

right

right to recommend, an immediate ceſſation of hoſtilities. Let the controverſy be taken up where that Declaration left it, and where Lord Howe certainly expected to find it left. Let men of clear and impartial characters, in or out of Congreſs, liberal in their ſentiments, heretofore independent in their fortunes, and ſome ſuch may be found in America, be appointed to confer with his Majeſty's Commiſſioners. Let them, if they pleaſe, prepare ſome well-digeſted conſtitutional plan, to lay before them at the commencement of the negotiation: when they have gone thus far, I am confident the uſual happy conſequences will enſue; unanimity will immediately take place through the different provinces; thouſands who are now ardently wiſhing and praying for ſuch a meaſure, will ſtep forth, and declare themſelves the zealous advocates for conſtitutional liberty; and millions will bleſs the hero that left the field of war, to decide this moſt important conteſt with the weapons of wiſdom and humanity. Oh! Sir! let no falſe ideas of worldly honour deter you from engaging in ſo glorious a taſk: whatever cenſures may be thrown out by mean, illiberal minds, your character will riſe in the eſtimation of the virtuous and noble; it will appear with luſtre in the annals of hiſtory, and form a glorious contraſt to that of thoſe who have fought to obtain conqueſt, and gratify their own ambition by the deſtruction of their ſpecies, and the ruin of their country.

Be aſſured, Sir, that I write not this under the eye of any Britiſh officer, or perſon connected with the Britiſh army or miniſtry. The ſentiments I expreſs are the real ſentiments of my own heart, ſuch as I have long held, and which I ſhould have made known to you before, had I not fully expected an opportunity of a private conference. When you paſſed through Philadelphia, on your way to Wilmington, I was confined by a ſevere fit of the gravel to my chamber; I have ſince continued ſo much indiſpoſed, and times have been ſo very diſtreſſing, that I had neither ſpirit to write a letter, nor an opportunity to convey it when written, nor do I yet know by what means I ſhall get theſe ſheets to your hands. I would fain hope that I have ſaid nothing by which your delicacy can be in the leaſt hurt; if I have, I aſſure you it has been without the leaſt intention, and therefore your candour will lead you to forgive me. I have ſpoke freely of Congreſs, and of the army; but what I have ſaid is partly from my own knowledge, and partly from the information of ſome reſpectable members of the former, and ſome of the beſt officers in the latter. I would not offend the meaneſt perſon upon earth: what I ſay to you, I ſay in confidence, to anſwer what I cannot but deem a moſt *valuable purpoſe*. I love my country, I love you; but for the love of truth, the love of peace, and the love of God, I hope I ſhould be enabled, if called upon to the trial, to ſacrifice every other inferior love.

If the arguments made uſe of in this letter ſhould have ſo much influence as to engage you in the glorious work which I have warmly recommended, I ſhall ever deem my ſucceſs the higheſt temporal favour that Providence could grant me. Your interpoſition and advice, I am confident, would meet with a more favourable reception from the authority under which you act; if it ſhould not, you have an infallible reſource ſtill left; negotiate for your country at the head of your army.

After all, it may appear preſumption in an individual to addreſs himſelf to you on a ſubject of ſuch magnitude, or to ſay what meaſures would beſt ſecure the intereſt and welfare of a whole continent. The friendly and favourable opinion you have always expreſſed for me, emboldens me to undertake it; and, which has greatly added to the weight of this motive, I have been ſtrongly impreſſed with a ſenſe of duty upon the occaſion, which left my conſcience uneaſy, and my heart afflicted, till I fully diſcharged it. I am no enthuſiaſt: the cauſe is new and ſingular to me; but I could not enjoy one moment's peace till this letter was written.

With the moſt ardent prayers for your ſpiritual as well as temporal welfare, I am, &c.

Jacob Duché.

[His Excellency Gen. Washington.]

Mr Duché is ſaid to be the author of Caſpipina's Letters [261.]

The order on which certain loyaliſts in Philadelphia [646. 709.] *were committed to priſon.*

In Council, Philadelphia, Aug. 31. 1777.

WHEREAS the Congreſs of the United States of North America have, by their

their reſolve of the 28th inſtant (Auguſt), recommended to the Executive Powers of the ſeveral States, to apprehend and ſecure all perſons who have in their general conduct and converſation evidenced a diſpoſition inimical to the cauſe of America; particularly;—[*the eleven perſons firſt in the liſt below*],—together with all ſuch papers in their poſſeſſion as may be of a political nature; and that the perſons ſo ſeized, be confined in ſuch places, and treated in ſuch manner, as ſhall be conſiſtent with their reſpective characters, and the ſecurity of their perſons; and that the records and papers of the meeting of ſufferings of the ſociety of the people called Quakers, in the ſeveral States, be forthwith ſecured; and that ſuch parts of them as may be of a political nature, be forthwith tranſmitted to Congreſs;

And where it is neceſſary for the public ſafety at this time, when a Britiſh army has landed in Maryland, with a profeſſed deſign of enſlaving this free country, and is now advancing towards this city, as a principal object of hoſtility, that ſuch dangerous perſons be accordingly ſecured:

Therefore,

Reſolved, That a ſuitable number of the friends to the public cauſe, be authorized forthwith to ſeize and ſecure the perſons of the ſaid

* Joſhua Fiſher,
* Abel James,
* James Pemberton,
* Henry Drinker,
* Iſrael Pemberton,
* John Pemberton,
* Samuel Pleaſants,
* Tho Wharton ſen.
* Thomas Fiſher, (ſon of Joſhua)
* Samuel Fiſher, (ſon of Joſhua
* John James;

And alſo,

* Miers Fiſher,
Elijah Brown,
* Hugh Roberts,
* George Roberts,
* Joſeph Cox,
* John Hunt,
* muel Emlen, jun.
* Adam Kuhn, *M. D.*
* Thomas Bond,
* Wm Smith, *D. D.*
* Rev. Tho. Coombe,
* Samuel Shoemaker,
* Charles Jervis,
Wm Drewet Smith,
* Charles Eddy,
* Thomas Pike,
* Owen Johns, jun.
* Jeremiah Warder,
William Lenox,
* Edward Pennington,
* Caleb Emlen,
Wm Smith, *Broker*,
* Samuel Murdock,
Alexander Stedman,
Charles Stedman, jun.
* Tho Aſhton, *Merch.*
William Imlay,
* Thomas Gilpin,
* Samuel Jackſon, and
* Thomas Affleck.

Reſolved, That the following inſtructions be alſo given:

Early attention ſhould be given to John Hunt, who lives on the Germantown road, about five miles off the city, and to John Pemberton, Samuel Emlen, and other leaders in the ſociety of Quakers, concerning books and papers: as to the reſt, your own prudence muſt direct. — The power to ſearch muſt neceſſarily extend to the opening of locks.

Congreſs recommend it, and we wiſh to treat men of reputation with as much tenderneſs as the ſecurity of their perſons and papers will admit. We deſire, therefore, that if the perſons whoſe names in the liſt are marked thus *, offer to you by a promiſe in writing, to remain in their dwelling-houſes, ready to appear on demand of Council, and meanwhile to refrain from doing any thing injurious to the United Free States of North America, by ſpeaking, writing, or otherwiſe; and from giving intelligence to the commander in chief of the Britiſh forces, or any other perſon whatever, concerning public affairs, you diſmiſs them from further confinement of their perſons: but if ſuch engagement, or a promiſe equivalent thereto, cannot be obtained, we deſire, that in ſuch caſe you confine the refuſers, together with the others, to whoſe names the ſaid mark is not prefixed, in ſome convenient place, under a guard, with which the town-major, Col. Nichola, will ſupply you. The Freemaſon's lodge may be perhaps procured; it would ſerve as well as any other place for this purpoſe. You may perceive that Council would not, without neceſſity, commit many of the perſons to the common gaol, nor even to the ſtate-priſon.

We conclude our American affairs in this volume with a little briſk naval encounter. — The Milford and two other frigates, off the mouth of Boſton harbour, fell in, Aug. 6. about ſeven o'clock in the evening, with the following privateers, viz. the Virginia, of 28 guns, Capt. Nicholſon; Randolph, 32 guns, Capt. Biddle; Effingham, 28 guns, Capt. Berry; ———, Capt. Hallock, 16; and Defence, Capt. Joſiah, of 20; when a deſperate action commenced, which continued ſeven glaſſes; in which the Milford, which lay along-ſide the Randolph, and received likewiſe the fire from the Defence the whole action, was four times ſet on fire. The three former privateers were taken, and brought into New York, and the other two eſcaped, the frigates rigging being ſo much damaged they could not purſue them.

PAR-

PARLIAMENT, ſeſſ. 1776-7. [533.]

ON the 13th of May, the Commons being in a committee on the bill for the better ſecuring and preſerving the dock-yards, magazines, ſhips, veſſels, ſtores, warehouſes, goods, and merchandiſes, being the property of private perſons within this kingdom,

Sir Charles Bunbury moved to fill up the blank with the words "benefit of clergy."

Mr Combe. Whoever reads your ſtatute-book, and ſees how many crimes are puniſhed with death, which are much leſs heinous than burning of ſhips, I am ſurpriſed any gentleman ſhould think it not high time to put to death ſuch dangerous and wicked incendiaries. It is true, John the Painter was hanged for burning Portſmouth dock [166.], becauſe there is an act of parliament that makes it death to burn royal docks: but there is no act of parliament to hang men for burning merchants ſhips or warehouſes; and if John the Painter had burnt all the ſhips and warehouſes in Briſtol, he would not have been hanged. And I think the example of death full as proper in one caſe as the other.

Rt Hon. Sir William Meredith. I agree with my Hon. friend, that no greater crime can be committed than the wilfully ſetting fire to merchants ſhips, which may endanger not only lives and properties, but public ſafety. I ſhould think this crime, above all others, fit to be puniſhed with death, if I could ſuppoſe the infliction of death at all uſeful in the prevention of crimes.

But, in ſubjects of this nature, we are to conſider, not what the individual is, nor what he may have done; we are to conſider only what is right for public example and private ſafety.

Whether hanging ever did, or can; anſwer any good purpoſe, I doubt; but the cruel exhibition of every execution-day is a proof that hanging carries no terror with it: and I am confident, that every new ſanguinary law operates as an encouragement to commit capital offences; for it is not the mode, but the certainty, of puniſhment, that creates terror. What men know they muſt endure, they fear; but what they think they can eſcape, they deſpiſe. The multiplicity of our hanging-laws has produced theſe two things, frequency of condemnations, and frequency of pardons. As hope is the firſt and great ſpring of action, if it was ſo, that out of twenty convicts one only was to be pardoned, the thief would ſay, "Why may not I be that one?" But ſince, as our laws are actually adminiſtered, not one in five is executed, the thief acts on the chance of five to one in his favour; he acts on a fair and reaſonable preſumption of indemnity: and I verily believe, that the confident hope of indemnity is the cauſe of nineteen in twenty of the robberies that are committed.

But if we look to the executions themſelves, what example do they give? The thief dies either hardened or penitent. We are not to conſider ſuch reflections as occur to reaſonable and good men, but ſuch impreſſions as are made on the thoughtleſs, the deſperate, and the wicked. Theſe men look on the hardened villain with envy and admiration. All that animation and contempt of death with which heroes and martyrs inſpire good men in a good cauſe, the abandoned villain feels in ſeeing a deſperado, like himſelf, meet death with intrepidity. The penitent thief, on the other hand, often makes the ſober villain think this way: Himſelf oppreſſed with poverty and want, he ſees a man die with that penitence which promiſes pardon for his ſins here and happineſs hereafter: ſtraight he thinks, that, by robbery, forgery, or murder, he can relieve all his wants; and, if he be brought to juſtice, the puniſhment will be ſhort and trifling, and the reward eternal.

Even in crimes which are ſeldom or never pardoned, death is no prevention. Houſebreakers, forgers, and coiners, are ſure to be hanged; yet houſebreaking, forging, and coining, are the very crimes which are oftenеſt committed.

Strange it is, that, in the caſe of blood, of which we ought to be moſt tender, we ſhould ſtill go on, againſt reaſon, and againſt experience, to make unavailing ſlaughter of our fellow-creatures! A recent event has proved, that policy will do what blood cannot do: I mean the late regulation of the coinage. Thirty years together men were continually hanged for coining; ſtill it went on; but, on the new regulation of the gold coin, ceaſed. This event proves theſe two things: the efficacy of police, and the inefficacy of hanging. But is it not very extraordinary, that, ſince the regulation of the gold coin, an act has paſſed

making

making it treason to coin silver? But has it stopped the coining of silver? On the contrary, do not you hear of it more than ever? It seems as if the law and the crime bore the same date. I do not know what the Hon. Member thinks who brought in the bill; but, perhaps, some feelings may come across his own mind, when he sees how many lives he is taking away for no purpose. Had it been fairly stated, and specifically pointed out, what the mischief of coining silver in the utmost extent is, that hanging-bill might not have been so readily adopted: under the name of treason it found an easy passage. I, indeed, have always understood treason to be nothing less than some act or conspiracy against the life or honour of the King, and the safety of the state; but what the King or state can suffer by my taking now-and-then a bad sixpence or a bad shilling, I cannot imagine. By this nick name of *treason*, however, there lies at this moment in Newgate, under sentence to be burnt alive, a girl just turned of fourteen. At her master's bidding she hid some white-washed farthings behind her stays; on which the jury found her guilty as an accomplice with her master in the treason. The master was hanged last Wednesday; and the faggots all lay ready,—no reprieve came till just as the cart was setting out,—and the girl would have been burnt alive on the same day, had it not been for the humane, but casual, interference of Lord Weymouth. Good God! Sir, are we taught to execrate the fires of Smithfield, and are we lighting them now to burn a poor harmless child for hiding a white-washed farthing? And yet this barbarous sentence, which ought to make men shudder at the thought of shedding blood for such trivial causes, is brought as a reason for more hanging and burning. It was recommended to me, not many days ago, to bring in a bill to make it treason to coin copper as well as gold and silver. Yet, in the formation of these sanguinary laws, humanity, religion, and policy, are thrown out of the question. This one wise argument is always sufficient: If you hang for one fault, why not for another? if for stealing a sheep, why not a cow or a horse? if for a shilling, why not for a handkerchief worth eighteenpence? and so on. We, therefore, ought to oppose the increase of these new laws; the more, because every fresh one begets twenty others.

When a member of parliament brings in a new hanging-law, he begins with mentioning some injury that may be done to private property, for which a man is not yet liable to be hanged, and then proposes the gallows as the specific infallible means of cure and prevention; but the bill, in its progress, often makes crimes capital that scarce deserve whipping. For instance, the shop-lifting act was to prevent bankers and silversmiths, and other shops, where there are commonly goods of great value, from being robbed; but it goes so far as to make it death to lift any thing off a counter with an intent to steal. Under this act one Mary Jones was executed, whose case I shall just mention. It was at the time when press-warrants were issued on the alarm about Falkland's islands [xxxiii. 661.]. The woman's husband was pressed, their goods seized for some debts of his, and she, with two small children, turned into the streets a-begging. It is a circumstance not to be forgotten, that she was very young (under nineteen), and most remarkably handsome. She went to a linen-draper's shop, took some coarse linen off the counter, and slipped it under her cloak; the shopman saw her, and she laid it down: for this she was hanged. Her defence was, (I have the trial in my pocket), "That she had lived in credit, and wanted for nothing, till a press-gang came, and stole her husband from her; but, since then, she had no bed to lie on; nothing to give her children to eat; and they were almost naked; and perhaps she might have done something wrong, for she hardly knew what she did." The parish-officers testified the truth of this story. But, it seems, there had been a good deal of shop lifting about Ludgate; an example was thought necessary; and this woman was hanged for the comfort and satisfaction of some shopkeepers in Ludgate-street. When brought to receive sentence, she behaved in such a frantic manner, as proved her mind to be in a distracted and desponding state; and the child was sucking at her breast when she set out for Tyburn.

Let us reflect a little on this woman's fate. The poet says,

An honest man's the noblest work of God.

He might have said, with equal truth, that

A beauteous woman's the noblest work of God.

But

But for what cause was God's creation robbed of this its noblest work? It was for no injury; but for a mere attempt to clothe two naked children by unlawful means. Compare this with what the State did, and with what the Law did. The State bereaved the woman of her husband, and the children of a father, who was all their support; the Law deprived the woman of her life, and the children of their remaining parent, exposing them to every danger, insult, and mercileſs treatment that deſtitute and helpleſs orphans ſuffer. Take all the circumſtances together, I do not believe that a fouler murder was ever committed againſt law, than the murder of this woman by law.

Some who hear me are perhaps blaming the judges, the jury, and the hangman. But neither judge, jury, nor hangman are to blame; they are but miniſterial agents: the true hangman is the member of parliament; he who frames the bloody law is anſwerable for all the blood that is ſhed under it.

But there is a further conſideration ſtill. Dying as theſe unhappy wretches often do, who knows what their future lot may be! Perhaps, my Hon. friend, who moves this bill, has not yet conſidered himſelf in the light of an executioner: no man has more humanity, no man a ſtronger ſenſe of religion than himſelf; and I verily believe, that at this moment he wiſhes as little ſucceſs to his hanging-law as I do. His nature muſt recoil at making himſelf the cauſe, not only of ſhedding the blood, but perhaps deſtroying the ſoul of his fellow-creatures.

But the wretches who die are not the only ſufferers: there are more and greater objects of compaſſion ſtill; I mean the ſurviving relations and friends. Who knows how many innocent children we may be dooming to ignominy and wretchedneſs? Who knows how many widows hearts we may break with grief, how many gray hairs of parents we may bring with ſorrow to the grave?

The Moſaic law ordained, that for a ſheep or an ox, four and five fold ſhould be reſtored; and for robbing a houſe, double; that is, one fold for reparation, the reſt for example; and the forfeiture was greater, as the property was more expoſed. If the thief came by night, it was lawful to kill him; but if he came by day, he was only to make reſtitution; and if he had nothing, he was to be ſold for his theft. This is all that God required in felonies; nor can I find in hiſtory any ſample of ſuch laws as ours, except a code that was framed at Athens by Draco. He made every offence capital, upon this modern way of reaſoning, "That petty crimes deſerved death, and he knew nothing worſe for the greateſt." His laws, it was ſaid, were not written with ink, but with blood; but they were of ſhort duration, being all repealed by Solon, except one for murder.

An attempt was made ſome years ago by my Hon. friend Sir Charles Bunbury, to repeal ſome of the moſt abſurd and cruel of our capital laws. The bill paſſed this Houſe, but was rejected by the Lords, for this reaſon: "It was an innovation, they ſaid, and ſubverſion of law." The very reverſe is truth. Theſe hanging-laws are themſelves innovations. No leſs than three and thirty of them paſſed during the laſt reign. I believe I myſelf was the firſt perſon who checked the progreſs of them. When the great Alfred came to the throne, he found the kingdom over-run with robbers; but the ſilly expedient of hanging never came into his head: he inſtituted a police, which was, to make every townſhip anſwerable for the felonies committed in it. Thus property became the guardian of property; and all robbery was ſo effectually ſtopped, that (the hiſtorian tells us) in a very ſhort time a man might travel through the kingdom unarmed with his purſe in his hand.

Treaſon, murder, rape, and burning a dwelling-houſe, were all the crimes that were liable to be puniſhed with death by our good old common law: and ſuch was the tenderneſs, ſuch the reluctance to ſhed blood, that, if recompence could poſſibly be made, life was not to be touched. Treaſon being againſt the King, the remiſſion of that crime was in the crown. In caſe of murder itſelf, if compenſation could be made, the next of kin might diſcharge the proſecution, which, if once diſcharged, could never be revived. If a raviſher could make the injured woman ſatisfaction, the law had no power over him; ſhe might marry the man under the gallows, if ſhe pleaſed, and take him from the jaws of death to the lips of matrimony. But ſo fatally are we deviated from the benignity of our ancient laws, that there is now under ſentence of death an unfortunate

tunate clergyman, who made satisfaction for the injury he attempted: the satisfaction was accepted: and yet the acceptance of the satisfaction and the prosecution bear the same date. [106, 8.]

There does not occur to my thoughts a proposition more abhorrent from nature, and from reason, than, that, in a matter of property, when restitution is made, blood should still be required. But in regard to our whole system of criminal law, and much more to our habits of thinking and reasoning upon it, there is a sentence of the great Roman orator, which I wish those who hear me to remark: exhorting the senate to put a stop to executions, he says, *Nolite, Quirites, hanc sævitiam diutius pati, quæ non modo tot cives atrocissime sustulit, sed humanitatem ipsam ademit consuetudine incommodorum.*

Having said so much on the general principles of our criminal laws, I have only a short word or two to add on the two propositions now before us: one, as moved by the Hon. Gentleman [Mr Combe], to hang persons that wilfully set fire to ships; the other moved as an amendment by my Hon. friend [Sir Charles Bunbury], is to send such offenders to work seven years on the Thames.

The question arises from the alarming events of the late fires at Portsmouth and Bristol [48.]; for which the incendiary is put to death [166.]. But will an act of parliament prevent such men as John the Painter from coming into the world, or controul them when they are in it? You might as well bring in a bill to prevent the appearance, or regulate the motions, of a comet. John the Painter was so far from fearing death, that he courted it; was so far from concealing his act, that he told full as much as was true, to his own conviction. When once a villain turns enthusiast, he is above all law: punishment is his reward, and death his glory. But though this law will be useless against villains, it is dangerous, and may be fatal, to many an innocent person. There is not an honest industrious carpenter or sailor who may not be endangered in the course of his daily labour: they are constantly using fire and combustible matter about shipping; tarring, and pitching, and caulking: accidents are continually happening; and who knows how many of those accidents may be attributed to design? Indeed, the act says, the firing must be done *wilfully and maliciously*; but judges and juries do not always distinguish right betwixt the fact and the intention. It is the province of a jury only to try the fact by the intention; but they are too apt to judge of the intention by the fact. Justices of peace, however, are not famed for accurate and nice distinctions; and all the horrors of an ignominious death would be too much to threaten every honest shipwright with, for what may happen in the necessary work of his calling.

But as I think punishment necessary for so heinous an offence, and as the end of all punishment is example; of the two modes of punishment I shall prefer that which is most profitable in point of example. Allowing, then, the punishment of death its utmost force, it is only short and momentary; that of labour permanent: and so much example is gained in him who is reserved for labour, more than in him who is put to death, as there are hours in the life of the one, beyond the short moment of the other's death.

Mr Dundas (Lord Advocate) spoke against the motion.

The bill was ordered to be reported; but it dropped.

Mr Urban, *July* 1777.

A Very ingenious gentleman observing the butcherly manner by which lambs, colts, &c. are cut, put this question: If your anatomists allow the testes to be glands to which the epidydymes are the excretory ducts, which, by elongation, form the vasa deferentia, and end in the veficulæ seminales, where they deposit their secreted fluid; why could not all the pain and danger of the operation, as usually performed, be saved by a division simply of the vasa deferentia, by which all possibility of supplying the veficulæ would be cut off? My answer was, That, were the design only to prevent procreation, it would seem a very safe and effectual operation; but as I always understood, that the design was rather to tame the rage of the creature, the proposed method could not answer that intention. Yet willing to give my friend's argument its full weight, I beg leave to submit the discussion of so interesting a subject to your physical readers.

Yours, &c. X.

NEW

NEW BOOKS. [612.]

The Hiſtory of America, continued. [539.]

After examining the political inſtitutions of the rude nations in America, Dr Robertſon proceeds to conſider their art of war, and their proviſion for public ſecurity and defence. The ſtate of nature has been repreſented as a ſtate of war, and there are indeed permanent principles of hoſtility in ſuch a ſtate. Though ſtrangers to the idea of ſeparate property veſted in any individual, the rudeſt of the American nations are well acquainted with the rights of each community to its own domains. They guard this national property with a jealous attention; but as their territories are extenſive, and the boundaries of them not exactly aſcertained, innumerable ſubjects of diſpute ariſe, which ſeldom terminate without bloodſhed. But as our author well obſerves, p. 350. "Intereſt is neither the moſt frequent nor the moſt powerful motive of the inceſſant hoſtilities among rude nations. Theſe muſt be imputed to the paſſion of revenge, which rages with ſuch violence in the breaſt of ſavages, that eagerneſs to gratify it may be conſidered as the diſtinguiſhing characteriſtic of men, in their uncivilized ſtate." All ſavage and barbarous nations have been remarked for the keenneſs and fury with which they proſecute revenge. Circumſtances both in their domeſtic and political ſituation concur to heighten and inflame this paſſion. The great principle of the ſavage ſtate is, that a man is every thing to himſelf. Before laws and government are inſtituted, every individual is the guardian of his own rights, and the avenger of his own injuries. He appeals to no tribunal but his own mind, and ſubmits to no law but the law of arms. Wrongs are then felt with exquiſite ſenſibility, and vengeance exerciſed with unrelenting rancour: the offender muſt expiate his offence with his blood, and the hand of him who is injured muſt inflict the wound. Revenge then is to be conſidered as the law of ſavage nations; and we may obſerve, that the operation of this principle continues among nations after they have begun to civilize. The earlieſt efforts towards legiſlation among mankind are plainly derived from this ſpirit; the law of retaliation in particular, to be found in the code of all nations, is no other than a modification and refinement of revenge. Savage nations are animated with the ſame ſpirit in carrying on their public wars, as in proſecuting private vengeance. In ſmall communities every man is touched with the injury or affront offered to the body of which he is a member, as if it were a perſonal attack upon his own honour or ſafety. The deſire of vengeance is communicated from breaſt to breaſt, and ſoon kindles into rage. Poliſhed nations fight, to conquer; but ſavage tribes, to deſtroy: the object of the one is victory; the object of the other is extermination. The deſire of vengeance is the firſt, and almoſt the only principle, which a ſavage inſtils into the minds of his children. This grows up with him as he advances in life, and takes ſuch entire poſſeſſion of the heart as to reſemble the inſtinctive rage of a brute animal, rather than the paſſion of a man. Their vengeance turns with undiſcerning fury even againſt inanimate objects. If hurt accidentally by a ſtone, they ſeize it in a tranſport of anger, and endeavour to wreak their vengeance upon it. If ſtruck with an arrow in battle, they will tear it from the wound, break and bite it with their teeth, and daſh it on the earth. With reſpect to their enemies, the rage of vengeance knows no bounds: when under the dominion of this paſſion, man becomes the moſt cruel of all animals; he neither pities, nor forgives, nor ſpares.

"The force of this paſſion is ſo well underſtood, (ſaith Dr Robertſon), by the Americans themſelves, that they always apply to it, in order to excite their people to take arms. If the elders of any tribe attempt to rouſe their youth from ſloth, if a chief wiſhes to allure a band of warriors to follow him in invading an enemy's country, the moſt perſuaſive topics of their martial eloquence are drawn from revenge. "The bones of our countrymen, ſay they, lie uncovered; their bloody bed has not been waſhed clean: their ſpirits cry againſt us; they muſt be appeaſed. Let us go and devour the people by whom they were ſlain: ſit no longer inactive upon your mats; lift the hatchet, conſole the ſpirits of the dead, and tell them that they ſhall be avenged."

Animated with ſuch exhortations, the youth ſnatch their arms in a tranſport of fury, raiſe the ſong of war, and burn with impatience to embrue their hands in the blood of their enemies. Private

chiefs often aſſemble ſmall parties, and invade a hoſtile tribe, without conſulting the rulers of the community. A ſingle warrior, prompted by caprice or revenge, will take the field alone, and march ſeveral hundred miles to ſurpriſe and cut off a ſtraggling enemy. The exploits of a noted warrior, in ſuch ſolitary excurſions, often form the chief part of the hiſtory of an American campaign; and their elders connive at ſuch irregular ſallies, as they tend to cherith a martial ſpirit, and accuſtom their people to enterpriſe and danger. But when a war is national, and undertaken by public authority, the deliberations are formal and ſlow. The elders aſſemble, they deliver their opinions in ſolemn ſpeeches, they weigh with maturity the nature of the enterpriſe, and balance its beneficial or diſadvantageous conſequences with no inconſiderable portion of political diſcernment and ſagacity. Their prieſts and ſoothſayers are conſulted, and ſometimes they aſk the advice even of their women. If the determination be for war, they prepare for it with much ceremony. A leader offers to conduct the expedition, and is accepted. But no man is conſtrained to follow him; the reſolution of the community to commence hoſtilities impoſes no obligation upon any member to take part in the war. Each individual is ſtill maſter of his own conduct, and his engagement in the ſervice is perfectly voluntary."

But their mode of carrying on war is different from that of other nations with which we are acquainted.

"The maxims by which they regulate their military operations, though extremely different from thoſe which take place among more civilized and populous nations, are well ſuited to their own political ſtate, and the nature of the country in which they act. They never take the field in numerous bodies, as it would require a greater effort of foreſight and induſtry, than is uſual among ſavages, to provide for their ſubſiſtence, during a march of ſome hundred miles through dreary foreſts, or during a long voyage upon their lakes and rivers. Their armies are not encumbered with baggage, or military ſtores. Each warrior, beſides his arms, carries a mat, and a ſmall bag of pounded maize, and with theſe is completely equipped for any ſervice. While at a diſtance from the enemy's frontier, they diſperſe through the woods, and ſupport themſelves with the game which they kill, or the fiſh which they catch. As they approach nearer to the territories of the nation which they intend to attack, they collect their troops, and advance with greater caution. Even then they proceed wholly by ſtratagem and ambuſcade. They place not their glory in attacking their enemies with open force. To ſurpriſe and deſtroy is the greateſt merit of a commander, and the higheſt pride of his followers. War and hunting are their only occupations, and they conduct both with the ſame ſpirit, and the ſame arts. They follow the track of their enemies through the foreſt. They endeavour to diſcover their haunts, they lurk in ſome thicket near to theſe, and with the patience of a ſportſman lying in wait for game, will continue in their ſtation day after day, until they can ruſh upon their prey when moſt ſecure, and leaſt able to reſiſt them. If they meet no ſtraggling party of the enemy, they advance towards their villages; but with ſuch ſolicitude to conceal their approach, that they often creep on their hands and feet through the woods, and paint their ſkins of the ſame colour with the withered leaves, in order to avoid detection. If ſo fortunate as to remain unobſerved, they ſet on fire their huts in the dead of night, and maſſacre the inhabitants, as they fly naked and defenceleſs from the flames. If they hope to effect a retreat without being purſued, they carry off ſome priſoners, whom they reſerve for a more dreadful fate. But if, notwithſtanding all their addreſs and precautions, they find that their motions are diſcovered, that the enemy has taken the alarm, and is prepared to oppoſe them, they uſually deem it moſt prudent to retire. They regard it as extreme folly to meet an enemy who is on his guard, upon equal terms, or to give battle in an open field. The moſt diſtinguiſhed ſucceſs is a diſgrace to a leader, if purchaſed with any conſiderable loſs of his followers; and they never boaſt of a victory if ſtained with the blood of their own countrymen. To fall in battle, inſtead of being reckoned an honourable death, is a misfortune which ſubjects the memory of a warrior to the imputation of raſhneſs or imprudence.

This ſyſtem of war was univerſal in America; and the ſmall uncivilized tribes, diſperſed through all its different regions and climates, diſplay more craft than boldneſs in carrying on their hoſtilities.

Struck

Struck with this conduct, ſo oppoſite to the ideas and maxims of Europeans, ſeveral authors contend, that it flows from a feeble and daſtardly ſpirit peculiar to the Americans, which is incapable of any generous or manly exertion. But when we reflect, that many of theſe tribes, on occaſions which call for extraordinary efforts, not only defend themſelves with obſtinate reſolution, but attack their enemies with the moſt daring courage, and that they poſſeſs fortitude of mind ſuperior to the fenſe of danger, or the fear of death, we muſt aſcribe their habitual caution to ſome other cauſe than conſtitutional timidity. The number of men in each tribe is ſo ſmall, the difficulty of rearing new members, amidſt the hardſhips and dangers of ſavage life, ſo great, that the life of a citizen is extremely precious, and the preſervation of it becomes a capital object in their policy. Had the point of honour been the ſame among the feeble American tribes as among the powerful nations of Europe, had they been taught, in contempt of danger and death, to court fame or victory, they muſt have been ruined by maxims ſo ill adapted to their condition. But where-ever their communities are more populous, ſo that they can act with conſiderable force, and can ſuſtain the loſs of ſeveral of their members without being ſenſibly weakened, the military operations of the Americans more nearly reſemble thoſe of other nations. The Braſilians, as well as the tribes ſituated upon the banks of the river De la Plata, often take the field in ſuch numerous bodies as deſerve the name of armies. They defy their enemies to the combat, engage in regular battles, and maintain the conflict with that deſperate ferocity, which is natural to men, who have no idea of war, but that of exterminating their enemies, and who never give or take quarter. In the powerful empires of Mexico and Peru, great armies were aſſembled, frequent battles were fought, and the theory as well as practice of war were different from what took place in thoſe petty ſocieties which aſſume the name of nations."

The mode of fighting which prevails among the Americans, and is peculiar to them, has been often obſerved, but never accounted for but by Dr Robertſon. The authors of the many theories concerning the Americans, have aſcribed it to their general want of ſpirit, their cowardice, and puſillanimity; or imputed it to the influence of climate, and phyſical cauſes. In the paſſage we have juſt quoted our Author ſufficiently ſhews, that the art of war among the Americans ariſes not from cowardice, for they are brave, but is the offſpring of neceſſity, and the effect of their ſituation. This is one of many inſtances, ſome of which we have obſerved, and ſome we have been obliged to omit, in which Dr Robertſon, by laborious reſearch, and philoſophical penetration, traces uncommon appearances in human nature to their true ſource, and explains from moral and political cauſes, what other writers, in the rage of ſyſtem, and in the looſeneſs of declamation, had aſcribed to cauſes merely phyſical. Such is the difference between the patience of inveſtigation, and what Dr Johnſon very happily calls the "fearleſſneſs of aſſertion;" and ſuch the immenſe ſuperiority of a philoſopher to a mere theoriſt.

Our author next proceeds to give us a deſcription of the treatment of priſoners among the Americans; which, as it is one of the moſt remarkable facts in the hiſtory of ſavage nations, and is written with great eloquence, we ſhall extract:

"As ſoon as they approach their own frontier, ſome of their number are diſpatched to inform their countrymen with reſpect to the ſucceſs of the expedition. Then the priſoners begin to feel the wretchedneſs of their condition. The women of the village, together with the youth who have not attained to the age of bearing arms, aſſemble, and, forming themſelves into two lines, through which the priſoners muſt paſs, beat and bruiſe them with ſticks or ſtones in a cruel manner. After this firſt gratification of their rage againſt their enemies, follow lamentations for the loſs of ſuch of their own countrymen as have fallen in the ſervice, accompanied with words and actions which ſeem to expreſs the utmoſt anguiſh of grief. But, in a moment, upon a ſignal given, their tears ceaſe, they paſs, with a ſudden and unaccountable tranſition, from the depths of ſorrow to tranſports of joy, and begin to celebrate their victory with all the wild exultation of a barbarous triumph. The fate of the priſoners remains ſtill undecided. The old men deliberate concerning it. Some are deſtined to be tortured to death, in order to ſatiate the revenge of the conquerors; ſome to replace the members which the community has loſt in that or former

wars. They who are reſerved for this milder fate, are led to the huts of thoſe whoſe friends have been killed. The women meet them at the door, and if they receive them, their ſufferings are at an end. They are adopted into the family, and, according to their phraſe, are ſeated upon the mat of the deceaſed. They aſſume his name, they hold the ſame rank, are treated thenceforward with all the tenderneſs due to a father, a brother, a huſband, or a friend. But if, either from caprice, or an unrelenting deſire of revenge, the women of any family refuſe to accept of the priſoner who is offered to them, his doom is fixed. No power can then ſave him from torture and death.

While their lot is in ſuſpenſe, the priſoners themſelves appear altogether unconcerned about what may befal them. They talk, they eat, they ſleep, as if they were perfectly at eaſe, and no danger impending. When the fatal ſentence is intimated to them, they receive it with an unaltered countenance, raiſe their death-ſong, and prepare to ſuffer like men. Their conquerors aſſemble as to a ſolemn feſtival, reſolved to put their courage to the utmoſt proof. A ſcene enſues, the bare deſcription of which is enough to chill the heart with horror, where ever men have been accuſtomed, by milder inſtitutions, to reſpect their ſpecies, and to melt into tenderneſs at the ſight of human ſufferings. The priſoners are tied naked to a ſtake, but ſo as to be at liberty to move around it. All who are preſent, men, women, and children, ruſh upon them like furies. Every ſpecies of torture is applied that the rancour of revenge can invent. Some burn their limbs with red-hot irons, ſome mangle their bodies with knives, others tear their fleſh from their bones, pluck out their nails by the roots, and rend and twiſt their ſinews. They vie with one another in refinements of torture. Nothing ſets bounds to their rage, but the dread of abridging the duration of their vengeance by haſtening the death of the ſufferers; and ſuch is their cruel ingenuity in tormenting, that by avoiding induſtriouſly to hurt any vital part, they often prolong this ſcene of anguiſh for ſeveral days. In ſpite of all that they ſuffer, the victims continue to chant their death-ſong with a firm voice, they boaſt of their own exploits, they inſult their tormentors for their want of ſkill in avenging their friends and relations, they warn them of the vengeance which awaits them on account of their death, and excite their ferocity by the moſt provoking reproaches and threats. To diſplay undaunted fortitude in ſuch dreadful ſituations is the nobleſt triumph of a warrior: to avoid the trial by a voluntary death, or to ſhrink under it, is deemed infamous and cowardly. If any one betray ſymptoms of timidity, they often diſpatch him at once with contempt, as unworthy of being treated like a man. Animated with thoſe ideas, they endure, without a groan, what it ſeems almoſt impoſſible that human nature ſhould ſuſtain. They appear to be not only inſenſible of pain, but to court it. "Forbear, (ſaid an aged chief of the Iroquois, when his inſults had provoked one of his tormentors to wound him with a knife), forbear theſe ſtabs of your knife, and rather let me die by fire, that thoſe dogs, your allies, from beyond the ſea, may learn by my example to ſuffer like men." This magnanimity, of which there are frequent inſtances among the American warriors, inſtead of exciting admiration, or calling forth ſympathy, exaſperates the fierce ſpirits of their torturers to freſh acts of cruelty. Weary at length of contending with men whoſe conſtancy of mind they cannot vanquiſh, ſome chief in a rage puts a period to their ſufferings, by diſpatching them with his dagger or club.

This barbarous ſcene is often ſucceeded by one no leſs ſhocking. As it is impoſſible to appeaſe the fell ſpirit of revenge which rages in the heart of a ſavage, this frequently prompts the Americans to devour thoſe unhappy perſons who have been the victims of their cruelty. In the ancient world, tradition has preſerved the memory of barbarous nations of cannibals, who feed on human fleſh. But in every part of the New World, there were people to whom this cuſtom was familiar. It prevailed in the ſouthern continent, in ſeveral of the iſlands, and in various diſtricts of North America. Even in thoſe parts where circumſtances with which we are unacquainted, had in a great meaſure aboliſhed this practice, it ſeems to have been ſo well known, that it is incorporated into the idiom of their language. Among the Iroquois, the phraſe by which they expreſs their reſolution of making war againſt an enemy is, "Let us go and eat

that

that nation." If they ſolicit the aid of a neighbouring tribe, they invite it to "eat broth made of the fleſh of their enemies." Nor was the practice peculiar to rude unpoliſhed tribes; the principle from which it took riſe, is ſo deeply rooted in the minds of the Americans, that it ſubſiſted in Mexico, one of the civilized empires in the New World, and relics of it may be diſcovered among the more mild inhabitants of Peru. It was not ſcarcity of food, as ſome authors imagine, and the importunate cravings of hunger, that forced the Americans to thoſe horrid repaſts on their fellow-creatures. Human fleſh was never uſed as common food in any country, and the various relations concerning people who reckoned it among the ſtated means of ſubſiſtence, flow from the credulity and miſtakes of travellers. The rancour of revenge firſt prompted men to this barbarous action. The fierceſt tribes devoured none but priſoners taken in war, or ſuch as they regarded as enemies. Women and children, who were not the objects of enmity, if not cut off in the fury of their firſt inroad into an hoſtile country, ſeldom ſuffered by the deliberate effects of their revenge."

The ſixth article of the enquiry, as to the ſtate of the Americans, gives an account of their arts. The ſeventh, of their religion, and the eighth, of their various cuſtoms; after which, Dr Robertſon balances their virtues and their vices, their excellencies and defects; and forms a general eſtimate of their character.

One omiſſion in this enquiry into the ſtate of the Americans we cannot help taking notice of; and that is, a total ſilence concerning their eloquence and their ſongs, which forms ſuch an important article in the hiſtory of ſavage nations. We are of opinion alſo, that, upon the whole, he under-rates the ſavage character.

With theſe exceptions, we look upon this enquiry as one of the firſt philoſophical productions. It not only illuſtrates, but exhauſts the ſubject, and will ever be regarded as a treaſury of uſeful knowledge, and a code of ſound philoſophy concerning the rude ſtate of nations.

[We are ſorry that we have not room at preſent for the Review of the ſecond volume. The article is thus cloſed.]

To conclude: We congratulate the republic of letters on this acceſſion of philoſophical inſtruction and elegant entertainment.

Dr Robertſon hath, in this American hiſtory, fully gratified the expectations of the public, and not only ſupported but increaſed his literary reputation.

There is this difference, ſaith a great and profound philoſopher, between the liberal and the mechanical arts: An hundred cabinet-makers in London can work a table or a chair equally well; but no one writes verſes with ſo much ſpirit and elegance as Mr Pope. M.

London.

Religion, Morality, Controverſy, &c.

Thoughts of a citizen of London, on the conduct of Dr Dodd, in his life and death. With remarks on the ſeveral petitions preſented in his favour [330, 31, 85.]; the arguments of the court of common council of the city of London on the occaſion conſidered; and ſome queries addreſſed to the Lord Mayor and the court on the ſubject [369.]. With reflections on ſome paſſages of the Ordinary's account of Dr Dodd's converſation in Newgate, and going to execution. Shewing, that the dangerous and hurtful doctrine of Chriſtians who have paſſed their whole lives in wickedneſs being ſaved at the laſt hour, by applying to Chriſt, has no foundation, either in the nature of things, or the ſcripture. 6 d. *Owen.* —— Contains an honeſt inveſtigation of the life and conduct of Dr Dodd, together with a candid examination of the proceedings of the Doctor's advocates in the city-council, and a juſt cenſure of their ill-adviſed forwardneſs and active zeal in his behalf. M.

An explanation of the ſeventy weeks of Daniel, and of the ſeveral ſections of theſe ſeventy weeks [xxxviii. 378.]. To which is added, An expoſition of the chronology of the Jewiſh judges. With tables illuſtrating both ſubjects. By John Caverhill, M. D. 5 s. *Evans.* —— According to our author's hypotheſis, the explanation of the ſeventy weeks is twofold, of the ſeven weeks threefold, and of the ſixty-two weeks ſixfold: but his expoſitions appear to our apprehenſion chimerical. He has, however, taken infinite pains with his calculations, and in that reſpect his performance has undoubted merit. C.

Lælius; or, An eſſay on Friendſhip. By Marcus Tullius Cicero. With remarks by William Melmoth, Eſq; 5 s. boards. *Dodſley.* —— Mr Melmoth's character, as an ingenious and polite writer, is ſo well eſtabliſhed, and his merit as a tranſlator ſo well known, that we ſhall only ſay, in regard to the tranſlation now before us, that it is equal, both in point of elegance and accuracy,

to

to any of thoſe with which he has obliged the public. The judicious remarks, which are annexed to it, and which conſtitute the largeſt part of the volume, add much to its value, and clearly ſhew, that the writer is well acquainted with the hiſtorians, poets, and philoſophers of ancient Rome. They relate chiefly to the character and conduct of the moſt illuſtrious perſonages that are mentioned in Cicero's Eſſay, and contain many juſt obſervations on ſome very intereſting portions of Roman ſtory, particularly on the views and principles of the Gracchi. M.

A ſermon preached at St Mary Magdalen, in the Baſt of Lincoln, at the viſitation of the Archdeacon of Lincoln, May 28. 1777. By John Diſney, D. D. 1 s. *Johnſon.* —— Comprehends an anſwer to the principal arguments which have been advanced in favour of our human formularies. C.

A harmony of the Evangeliſts, in Greek. To which are prefixed, Critical Diſſertations in Engliſh. By Joſeph Prieſtley, LL. D. 14 s. boards. *Johnſon.*

Oſiander (who died in 1552) among the more ancient harmoniſts, and Dr Macknight among the modern, proceed upon a ſuppoſition, that all the evangeliſts relate every thing in chronological order; and that all thoſe incidents which differ in but one circumſtance, though they agree in many others, were diſtinct, and muſt be referred to a different time. They make no difficulty of repeating ſuch an incident as that of our Saviour's driving the traders out of the temple (Matth. xxi. Mar. xi. Luk xix. Joh ii.) as often as they have occaſion for it: on which Dr Prieſtley obſerves, that, by the ſame rule, "we might make more than one baptiſm of Jeſus, more than one inſtitution of the Lord's ſupper, more than one crucifixion, and more than one reſurrection."

The ſupernatural inſpiration of the evangeliſts has been generally admitted. But our author thinks, that this hypotheſis is not ſupported by fact, and muſt therefore be given up. "For he is perſuaded, that in the courſe of theſe obſervations it will appear, that tranſactions unqueſtionably the ſame are related with circumſtances that are abſolutely incompatible; and that, in ſpight of all the ingenuity in the world, their perfect conſiſtency, and conſequently the high notion commonly entertained of the inſpiration of the writers, is indefenſible." [xxxviii. 321.]

In this point he ſeems to be ſo perfectly ſatisfied, that he ſays, "by giving up the opinion of the inſpiration of the evangeliſts as writers, we gain two very conſiderable advantages. The firſt is, that we place the goſpel-hiſtory on the ſame unexceptionable footing with other credible hiſtories, reſting on independent teſtimonies, in conſequence of their agreement in all things of importance, and appearing to be independent of each other, by their diſagreement in things of no conſequence. In the ſecond place, by this expedient we diſincumber the evidence of the goſpel-hiſtory of many objections, inſignificant indeed in themſelves, but rendered of the greateſt magnitude, and ever abſolutely inſuperable, by our profeſſing to maintain the plenary inſpiration of the ſcriptures. In a word, we ſecure, in the moſt effectual manner, the evidence of all the important facts in the goſpel hiſtory; and the reſt will either follow of courſe, or their credibility may be ſafely neglected."

Our author briefly recites the evidence which Mr Mann, in his Diſſertations on the times of the birth and death of Chriſt, produced, and then ſubjoins additional arguments, in ſupport of the notion, that Chriſt preached only one year and a few months.

There are many valuable obſervations in this work. Dr Prieſtley is an ingenious writer; and as he is not reſtrained by any human formularies, he gives free ſcope to his pen, and attacks whatever notion he conceives to be erroneous, without fear or reſerve. This freedom of ſpeculation has, either directly or indirectly, been of infinite ſervice to Chriſtianity; and therefore her judicious friends are never alarmed at the ſight of a champion who ſhakes the pillars of orthodoxy.

This Harmony is printed in Greek; but, for the ſake of common readers, the Obſervations, and the Harmony in Engliſh, accompanied with illuſtrations of difficult paſſages, is ſold without the original. C.

Hiſtory, Law, Politics, &c.

The life of Alfred the Great, King of the Anglo-Saxons. By A. Bicknell. 5 s. 3 d. boards. *Bew.* —— This volume begins with a curſory detail of the Engliſh hiſtory from the time that the Romans evacuated Britain to the age of King Alfred; after which the author enters upon the biographical narrative of that celebrated prince. For the ſake of diſplaying the ſubject more diſtinctly, he has conſidered the various tranſactions under different claſſes: comprehending under the firſt, the military atchievements of Alfred; under the ſecond, delineating him in the capacity of a legiſlator, and ruler of his people; exhibiting next the private character of this illuſtrious monarch; and ſubjoining to the whole an account of the manners and cuſtoms of the Saxons. — In reſpect to compoſition, Mr Bicknell has not ſtrictly obſerved a uniformity of ſtyle, ſometimes riſing into a tumid elevation, and at others negligently ſinking into the uſe of vulgar and proverbial expreſſions. Some ſlight inaccuracies in language alſo occur. But in general the work is written with ſpirit, and contains a faithful hiſtory of the ſubject. C.

The

The Student's Pocket-Dictionary; or, Compendium of univerſal hiſtory, chronology, and biography, from the earlieſt accounts to the preſent time; with authorities. In two parts: 1. containing a compendium of univerſal hiſtory; 2. containing a compendium of biography. By Thomas Mortimer, Eſq; 3 s. 6 d. *Johnſon.*

The laws reſpecting women, as they regard their natural rights, or their connections and conduct; in which their intereſts, and duties, as daughters, wards, heireſſes, ſpinſters, ſiſters, wives, widows, mothers, legatees, executrixes, &c. are aſcertained and enumerated; alſo the obligations of parent and child, and the condition of minors. In which are inſerted, a great variety of curious and important deciſions in the different law-courts; and the ſubſtance of the trial of Eliſabeth Ducheſs-dowager of Kingſton, on an indictment for bigamy, before the Houſe of Peers, April 1776. 6 s. boards. *Johnſon* —— This author treats, 1. of the laws that reſpect the perſonal rights of women, under theſe ſeveral heads; the dignities conferred on women, their condition, privileges, and obligations; marriage as it affects the perſon and condition of women; huſband and wife; the juriſdiction of eccleſiaſtical courts, particularly reſpecting marriages and divorces; the ſettlement of paupers; — 2. of the laws reſpecting the property of women, viz. of the ancient laws of deſcent, and the preſent doctrine of deſcent, reſpecting women; of the property of ſingle women; of the diſpoſal of property before marriage; of property conveyed or altered by marriage; of the condition of a wife; of ſeparation as it reſpects property; of the condition of widows; of local cuſtoms; of the doctrine of laſt-wills and teſtaments; — 3. of crimes and their puniſhments; of forcible abduction and marriage; of fornication or lewdneſs; of adultery; of other offences; — 4. of the laws reſpecting parents; children legitimate and illegitimate; guardians and wards; infants, minors, and apprentices.—— The execution is ſuch as to render this book worthy the attention of the gentlemen of the law, and of the public in general. M.

A bill, on the principles of Lieut. Tomlinſon's plan for the more eaſy and effectual manning of the royal navy, &c. Moved for in the Houſe of Commons, March 11. 1777, by the Hon. Temple Luttrel, &c. 1 s. *Matthews.* —— Mr Tomlinſon's plan ſeems to contain many good proviſions reſpecting the ſalutary end propoſed; but as it failed of obtaining the approbation of government, it was, in courſe, rejected by the Houſe of Commons, 108 to 54, after a debate, in which Mr Luttrell's motion was ſeconded by Sir Edward Aſtley, and farther ſupported by Sir George Yonge, Gov. Johnſtone, Sir George Saville, and the Rt Hon. T. Townſhend. — The ſubſtance of the ſpeeches delivered by theſe gentlemen, as well as of thoſe who ſpoke in favour of the cuſtomary mode, is given in the pamphlet; the readers of which are, by this means, greatly aſſiſted in forming a judgement of the merits of Mr Tomlinſon's plan. Several teſtimonials in approbation of the ſcheme are alſo inſerted: theſe were tranſmitted to the author, by reſpectable and experienced gentlemen, both in the profeſſional and commercial line, in various parts of the kingdom. M.

An eſſay on the legality of impreſſing ſeamen. 2 s. *Cadell.* —— Every thing that can be urged in defence of the expediency, and in proof of the legality, of the (ſtill odious) practice of impreſſing ſeamen, appears to be here ſtated, in the fulleſt and cleareſt manner. The ſubject is, no doubt, extremely difficult; but it is, nevertheleſs, inveſtigated by the preſent Eſſayiſt, with the utmoſt perſpicuity and force of argument. He firſt gives a clear, general, and impartial ſtate of the queſtion, and then proceeds, methodically, to eſtabliſh the following points. 1. That an inequality of rank is inſeparable from ſociety; that in the diſtribution of the duties of ſociety, thoſe which are the moſt diſagreeable public duties muſt fall to the lot of that part of mankind which fills the lower ranks of life; that this mode of diſtribution, howſoever hard or unjuſt it may appear to the humane eye, is neceſſarily incident to ſociety in all its ſtates; and that it is, in ſome degree, corrected by government, though a neceſſary attendant on all governments. 2. That the impreſs of ſeamen is a meaſure of neceſſity and expediency, juſtifiable on both and on either of theſe principles; and that, in the advanced ſtate of government which the Britiſh nation hath attained, perſonal ſervice neither is, nor ought to be, nor can be, the duty of every citizen. This our ingenious and able author undertakes to prove by general reaſoning, and to illuſtrate it by examples. 3. That an impreſs is both expedient and neceſſary, to fill the armies and navies of our ſtate. 4. That an impreſs of ſeamen is a part of the common law, and often recognized in the ſtatute law of this realm: in proof of which he quotes a great variety of inſtances. — The Eſſayiſt tells us, in his introduction, that ſince the negative paſſed by the Houſe of Commons in the laſt ſeſſion, the Hon. Gentleman who was the mover of the queſtion, favoured him with a long converſation on the ſubject, and was pleaſed to hear from him the heads of the preſent performance. "The difference in our ſentiments," ſays he, "was not ſo great as might have been expected. We agree in the main, and indeed the only point which theſe ſheets were written to eſtabliſh, viz.

That

That after every inducement is held out to the ſeaman, to make him inliſt himſelf voluntarily into the ſervice, there muſt be, ultimately, ſome mode of compulſion, to produce the deſired effect." M.

Thoughts on the great circumſpection neceſſary in licenſing public alehouſes. Submitted to the conſideration of the gentlemen acting in the commiſſion of the peace throughout England. By a juſtice of the peace. 6 d. *Johnſon.*——This author obſerves, that "vice, profaneneſs, and immorality, frequently take their riſe from almoſt imperceptible beginnings; that, corrupt as men are, robbery and murder are ſeldom, if ever, the firſt outſets of the wretch who commits them: he has learned, in ſome ſchool of vice, the leſſons and the habits which lead to idleneſs, and to deſperate fortune." Theſe ſchools, in which the lower ranks of the people of this country are trained, are the common alehouſes, which are now ſo thickly ſown in every town and village, and on almoſt every highway-ſide. In theſe the idler, the drunkard, the gameſter, the ſabbath-breaker, are harboured. Here the unwary paſſenger is invited to enter; and in theſe ſeminaries and nurſeries of ſottiſhneſs, debauchery, and profligacy, young offenders are generally raiſed; who, from perpetrating little crimes, proceed, in time, to the commiſſion of thoſe of the firſt magnitude." M.

The ſpeeches of John Wilkes, in parliament, from Nov. 29. 1774, to June 6. 1777. With notes by the editor. 2 vols. 6 s. ſewed. *Fielding and Walker.* —— If ſurmiſe may be credited, the editor of theſe orations is no other than their ſpirited and ingenious author. His commentaries and notes may be ſaid to conſtitute a curious miſcellany of ſuch critical and ſatirical illuſtrations and ſtrictures on the characters and conduct of our great men, as might nearly induce us to conclude, that the irritated writer had caught the mantle of Swift, and with it a double portion of his invective ſpirit: nay, we might almoſt imagine that we hear him boldly crying out, with that witty malignant,

"I, from my ſoul, ſincerely hate,
"The King, and Miniſters of State." M.

America.

Thoughts on the letter of Edmund Burke, Eſq; to the Sheriffs of Briſtol, on the affairs of America [314, 77.]. By the Earl of Abingdon. 1 s. *Almon.* —— "I ſympathiſe moſt cordially with Mr Burke [ſays Lord Abingdon] in thoſe feelings of humanity, which mark, in language ſo expreſſive, the abhorrence of his nature to the effuſion of human blood. I agree with him in idea, that the war with America is fruitleſs, hopeleſs, and unnatural; and I will add, on the part of G. Britain, cruel and unjuſt. I join hand in hand with him in all his propoſitions for peace; and I look with longing eyes for the event. I participate with him in the happineſs of thoſe friendſhips and connections which are the ſubjects ſo deſervedly of his panegyric: The name of Rockingham is a ſacred depoſit in my boſom. I have found him diſintereſted; I know him to be honeſt. Before I quit him, therefore, I will firſt abandon human nature."— His Lordſhip, after mentioning the points wherein he agrees with Mr Burke, goes on to mention thoſe wherein they differ, and employs ſeveral pages in regard to Mr Burke's not oppoſing the bill for a partial ſuſpenſion of the *Habeas corpus;* vindicating, at the ſame time, his own conduct in acting differently. The queſtion, How far a member of either Houſe can give over his attendance in parliament (his Lordſhip's own words) becauſe he is outvoted? is a nice queſtion: his own private opinion is, he tells us, that no member individually can do this, conſiſtently with his duty, but that collectively he may.— After ſtating the reaſons, and examining the motives that occaſioned a difference in conduct between Mr Burke and his Lordſhip, he proceeds to that part of Mr Burke's letter wherein a difference in opinion prevails. Mr Burke ſays, "that if ever one man lived, more zealous than another, for the ſupremacy of parliament, and the rights of this imperial crown, it was himſelf." Now his Lordſhip tells us, that "he ſees, knows, and is perſuaded, that theſe very modes of ſpeech, *Supremacy of parliament*, *Rights of this imperial crown*, *Unity of empire*, *Allegiance to the ſtate*, and ſuch like high-ſounding *ſeſquipedalia verba*, by becoming, in defiance of their impropriety, the deities of modern invocation, and by operating as incantations to miſlead mankind, have done more miſchief to the ſtate even than the ſword itſelf of civil war. Be their authority, therefore, ever ſo great, he can never, he ſays, ſubſcribe to their uſe.—*Supremacy of parliament*, (ſays his Lordſhip), is a combination of terms unknown to the Engliſh polity; and as to *Allegiance to the ſtate*, though it be the ſanctified phraſeology of the Archbiſhop of York [431.], it is, like the Whiggiſm he cenſures, *allegiance run mad.* Supremacy is an appendent of the crown, and ſo is allegiance. The former is the right of the King (as heretofore it was of the Pope) in his eccleſiaſtical capacity, the latter in his temporal; and there cannot be two rights, in one ſtate, to the ſame thing. Who ever heard of the oaths of ſupremacy and of allegiance to the Parliament? And why are they not taken to the Parliament? Becauſe they are due to the King, and not to the Parliament; and it is not fit that the Parliament ſhould invade the rights of this Imperial Crown.

Let

Let each poſſeſs its own, and ſo the conſtitution will be preſerved. That the Parliament is ſupreme, I admit. It is the ſupreme court, or *curia magna*, of the conſtitution; as the Houſe of Lords is the ſupreme court of juſtice, or dernier reſort of the law. Both are ſupreme; and yet ſupremacy was never attributed to the Houſe of Lords, but ever, in the language of the conſtitution, belonged to the King, as the ſupreme head of the church. In like manner I admit, that the people are bound in obedience to the laws of Parliament; but this does not therefore infer *allegiance to the ſtate*. Allegiance is one thing, obedience another. Allegiance is due to the King, ſo long as, in his executive capacity, he ſhall protect the rights of the people. Obedience is due to the laws, when founded on the conſtitution: but when they are ſubverſive of the conſtitution, then diſobedience inſtead of obedience is due, and reſiſtance becomes the law of the land." M. —— Among our political writers, Lord Abingdon is diſtinguiſhed by ſomething more than rank. Of his Lordſhip's ſincerity in this publication, thoſe only can doubt, who refuſe their aſſent to the concluſion: "In fine, theſe are my ſentiments, and theſe my principles: they are the principles of the conſtitution; and, under this perſuaſion, whilſt I have ſigned them with my name, I will, if neceſſary, as readily, *ſeal them with my blood*." C.

Second Thoughts; or, Obſervations upon Lord Abingdon's Thoughts on the letter of Edmund Burke, Eſq; to the Sheriffs of Briſtol. By the author of the Anſwer to Mr Burke's letter. 1 s. 6 d. *Cadell.* —— The diction pure, the ſtyle manly. On a ſubject ſo hackneyed, not many new thoughts could be expected. But many obſervations, not in themſelves new, acquire almoſt the merit of novelty by being placed in a new point of view. His reflections on Lord Abingdon's abſence from the Houſe when the ſuſpenſion-bill was firſt brought in, are pointed and ſevere. In his character of Franklin his traits are bold. His colouring has rather the force of a Rubens than the ſoft tints of a Titian. His remarks on the abſurdity of talking of *the expiring liberties of our country*, and publiſhing, at the ſame time, ſuch pamphlets as "Letters to the Sheriffs of Briſtol," and "Thoughts on thoſe Letters," are juſt and poignant. His account of the ſeceſſion in 1758, his reaſoning on the propoſal of Lord Abingdon to ſecede in ſuch a moment, and in ſuch a ſituation, as his Lordſhip paints, are pertinent. His diſtinction between the actual ſupremacy of Parliament, and the nominal ſupremacy of the King; his remarks on Lord Abingdon's viſions about contracts, and compacts, and law, and conſtitution, are juſt. In a word, in this, as in his former work, our author has given ſtrong marks of genius; and, comparing the two works together, we may add, of a genius which the hand of time improves. C.

The Canadian Freeholder: in two dialogues, between an Engliſhman, and a Frenchman ſettled in Canada. Shewing the ſentiments of the bulk of the freeholders of Canada concerning the late Quebec act; with ſome remarks on the Boſton-charter act; and an attempt to ſhow the great expediency of immediately repealing both thoſe acts of parliament, and of making ſome other uſeful regulations and conceſſions to his Majeſty's American ſubjects, as a ground for a reconciliation with the united colonies in America. Vol. 1. 5 s. 6 d. boards. *White.* —— We are always happy when we can introduce to the public a book of ſo reſpectable a character as the Canadian Freeholder. M.

An addreſs to the inhabitants of Pennſylvania, by thoſe freemen of the city of Philadelphia who are now confined in the maſon's lodge, by virtue of a general warrant. 4 d. *Philips.* —— By this addreſs we find, that twenty men of the province of Pennſylvania, peaceable members of ſociety, have had their houſes violently broke open, all their papers ſeized, and themſelves thrown into priſon, by virtue of a general warrant iſſued by the vice-preſident and council of the province, acting under the authority of the congreſs. Not content with this atrocious violation of the rights of their fellow ſubjects, theſe inſolent demagogues have dared to baniſh the unhappy ſufferers to Stanton in Virginia; and all this without the ſmalleſt ſhadow of legal proceſs, without ever pretending to accuſe them of any infringement of the laws of their country, and in contempt of repeated and moſt humble remonſtrances againſt ſo flagrant an act of oppreſſive deſpotiſm. C. [646. 7.] —— The dates of the ſeveral papers of which this pamphlet is compoſed, run from Aug. 31. to Sept. 9. The warrant imports, that the gentlemen therein named, were of the number of thoſe perſons who had, "in their general conduct and converſation, evidenced a diſpoſition inimical to the cauſe of America;" and whom it was "neceſſary, for the public ſafety," at ſo dangerous a criſis, to ſecure; unleſs they would "promiſe in writing," to remain in their dwelling-houſes, ready to appear on demand of council, and meanwhile refrain from doing any thing injurious to the United States, &c. and from giving intelligence to the commander of the Britiſh forces," &c. With which they refuſed to comply, conſidering the requiſition as illegal and tyrannical. The gentlemen (who were chiefly Quakers), on being arreſted, and confined in the free-maſons lodge, boldly and reſ-

lutely proteſted againſt this violent procedure: they aſſerted their innocence, they called for a public hearing, and they required to face their accuſers. Theſe demands were referred to the congreſs; and the remonſtrants were, ſoon after, informed, that they ſhould be releaſed from their confinement, provided they would ſubſcribe to this teſt, "I do ſwear, (or affirm), That I will be faithful, and bear true allegiance, to the commonwealth of Pennſylvania, as a free and independent ſtate," &c.; which congreſs would accept in full ſatisfaction of all their ſuſpicions. To this condition the priſoners, with a manly firmneſs, refuſed to ſubmit; while, on the other hand, is it to be wondered at, if their very refuſal ſerved to ſtrengthen the ſuſpicions that had been conceived to their detriment; and that they were, in conſequence, ordered to prepare themſelves for baniſhment? On this intimation, the priſoners renewed their remonſtrances and demands of a hearing; the continued denial of which was undoubtedly a cruel hardſhip, whatever were or were not their demerits with reſpect to the matter in accuſation. —— The remonſtrances made by theſe gentlemen during their confinement, are drawn up with a becoming ſpirit, and manly energy; and ſeem to have been written by the Quakers; a ſet of men, who, although faſt friends to monarchy, never were known to bow to the Baal of Oppreſſion, or to conform to the arbitrary requiſitions of any power on earth. M.

Natural Hiſtory, Medicine, Mathematics, &c.

A complete treatiſe of electricity in theory and practice. With original experiments. By Tiberius Cavallo. 5 s. boards. *Dilly.* —— Though the author of this performance has rather improperly termed it a *complete* treatiſe of electricity, it contains a very comprehenſive and ſatisfactory view of that ſcience within a ſmall compaſs, particularly with regard to the practical or experimental part of it. M.

Obſervations and conjectures on the nature and properties of light, and on the theory of comets. By William Cole. 2 s. *Robinſon.* —— The obſervations contained in this pamphlet were principally occaſioned by the peruſal of Mr Brydone's Tour, &c. and are intended to obviate ſome difficulties ſuggeſted by that writer againſt the materiality of light, and the generally-received theory of comets. Mr Cole ſuppoſes, with Mr Canton, though he takes no notice of that ingenious gentleman's paper on this ſubject, that the particles of light follow one another at conſiderable intervals; and if we compare the velocity of their motion with the duration of the ſenſations excited by them, there will be no difficulty in allowing theſe intervals to be ſufficient for preventing their mutual coliſion, and the deflection of any of them from a rectilinear courſe. On the ſuppoſition that they ſtrike the retina an hundred times in a ſecond, or ſix thouſand times in a minute, this author eſtimates the diſtance between them at about two thouſand miles. This hypotheſis will not only remove the objection deduced from their mutual oppoſition and reſiſtance, but likewiſe the difficulty attending the effects of their *momenta*. As thoſe bodies on which they impinge will be reſtored to their former ſituation in the interval between the ſucceſſive ſtrokes, Mr Cole conjectures, "that the lucidity of the particles of light depends on their velocity; and that when their velocity is diminiſhed beyond a certain degree, they are no longer luminous." And thus does he account for the ſudden annihilation of that immenſe quantity of luminous matter emitted during the day, as ſoon as the ſun is withdrawn from us. He ſuppoſes alſo, "that thoſe bodies which ſhine without ſenſible heat, do not emit a ſufficient quantity of particles to produce heat, while thoſe that excite heat without light do not project their particles with a velocity ſufficient to render them luminous."—Our author's obſervations on comets appear not much leſs extravagant than thoſe of Mr Brydone. Whilſt this gentleman propoſes to explain the motion of comets by the principles of electrical attraction and repulſion, Mr Cole imagines, that they "are not original or permanent parts of our ſyſtem; that they do not revolve round the ſun as their only centre of attraction; but that, no doubt for wiſe purpoſes, they were originally projected in ſuch directions, and with ſuch degrees of velocity, as to be made ſucceſſively to traverſe many different ſyſtems, to move in new directions, and deſcribe new orbits [of the parabolic or hyperbolic kind] as they are ſucceſſively attracted towards different centres." M.

Silva; or, A diſcourſe of foreſt-trees, and the propagation of timber in his Majeſty's dominions. By John Evelyn, Eſq; F. R. S. With notes by A. Hunter, M. D. F. R. S. (author of *Georgical Eſſays*, &c.) 2 l. 12 s. 6 d. boards. *Dodſley*, &c.——Mr Evelyn's name is numbered in that noble conſtellation of men of ſcience which ſo brightly illuminated our philoſophic hemiſphere in the reign of Charles II. and to which the learned world is ſo much indebted for the eſtabliſhment of the royal ſociety. — This celebrated production hath obtained the warmeſt approbation, both of the philoſophic inquirer, and the practical cultivator; and, we believe, no Engliſh book on the ſubject hath been more ſought after, or conſulted to better effect. — "Since the firſt edition of the *Silva*, in 1664, (ſays the editor), many improvements have

have been made in planting, and in every branch of natural knowledge. It therefore became my indiſpenſable duty to bring down the improvements to the preſent time. Theſe make the ſubject of the notes, which are drawn from moſt reſpectable authorities," many of whom he names.—May the preſent republication of Mr Evelyn's moſt valuable work contribute to excite a ſimilar ſpirit of planting! Royal example, we find, has not been wanting to direct our eyes toward this important object. Our editor informs us, in one of his notes, when treating of the culture of the oak, that his Majeſty has ordered a nurſery, conſiſting of twenty acres of land, to be formed on the foreſt of Knareſborough, to which the tenants of the crown are to have unlimited acceſs, for the purpoſe of ſupplying themſelves, *gratis*, with young oaks, and all ſorts of trees, proper for the foreſt. We hope the good effects of this munificent deſign will not be fruſtrated, through any inattention, or neglect, either in thoſe whoſe duty it is to carry it into execution, or in thoſe who ought, with grateful induſtry, to embrace it. M.

An account of the Tænia, or long Tape Worm, and of the method of treating it, as practiſed at Morat in Switzerland. Being a tranſlation of a memoir publiſhed at Paris. With copperplates. 2 s. *Wilkie.* —— The medicine here recommended againſt the Tænia, upon the authority of experiments made under the inſpection of ſome of the moſt eminent of the faculty at Paris, is the root of the Male Fern, *filix non ramoſa dentata*, TOURNEF.; *Polypodium filis mas*, LINN. Its efficacy againſt this formidable inteſtine enemy is, indeed, no new diſcovery, but was well known to the ancients, and has continued to be mentioned from time to time, either on their recommendation, or on the grounds of later experience. It was, however, almoſt conſigned to oblivion, when the fame of a ſpecific for the Tænia adminiſtered by a Madame Nouſſier of Morat, in the canton of Berne, from the directions of her deceaſed huſband, induced the King of France, after ſubmitting it to a proper trial, to purchaſe the ſecret for the benefit of the public. The preſent memoir was publiſhed in conſequence of this tranſaction; and contains full and plain directions for the preparation and exhibition of the remedy, together with a detail of the caſes which were ſelected as the teſt of its efficacy. The general proceſs laid down is, after evacuating the lower inteſtines by a gliſter, and preparing the bowels by a portion of lubricating and emollient food, to give two or three drams in powder of the fern-root, and about two hours after, a pretty ſtrong draſtic purge: this brings away the animal, which the ſpecific has weakened or killed, and then the cure is completed. The caſes appear fair and ſatisfactory, and the atteſtations indiſputable; ſo that there ſeems little doubt that medicine will obtain a real acquiſition by this revival of a neglected remedy. The tranſlator, Dr Simmons, has prefixed, by way of preface, an uſeful general account of the Tænia, and its different ſpecies. M.

A new method of curing the venereal diſeaſe by fumigation. By Sir Peter Lalonettee, Doctor Regent of the faculty of Phyſic in the univerſity of Paris. Publiſhed by order of the King of France; and now firſt tranſlated into Engliſh. With copperplates. 4 s. ſewed. *Wilkie.* —— Three preparations of mercury are here recommended for the purpoſe of fumigation, viz. ſimple, martial, and argillaceous, mercurial powder; and directions for making, and the method of uſing them, given.— This work was publiſhed in France at the expence of the government; and we are informed, that ſo great has been the ſucceſs of the method of cure here recommended, that it bids fair to be ſoon adopted in all the French military hoſpitals: we may therefore expect that the merit of the practice will ſoon be fully aſcertained. C.

A new Medical Dictionary; or, General Repoſitory of Phyſic. By G. Motherby, M. D. Fol. 1 l. 11 s. 6 d. boards. *Johnſon.* —— After reading many of the articles in this excellent compilation, we can affirm with truth, that it contains a more accurate account of diſeaſes, with a more full inveſtigation of the Materia Medica, and the other acceſſory parts of medicine, according to the lateſt improvements in the ſcience, than are at preſent to be met with in any other work of the kind; and we therefore recommend it to the gentlemen of the faculty, not only as highly uſeful in itſelf, but as a ſubſtitute even to many of the moſt capital volumes in the medical library. C.

An hiſtorical eſſay on the dropſy; by Richard Wilkes, M. D. To which is added an Appendix, by N. D. Falck, M. D. 6 s. boards. *Law.* —— Contains a clear and copious inquiry into the ſubject, though we do not find in it any new obſervations of importance. C.

Elements of Midwifery; or, The *arcana* of nature, in the formation and production of the human ſpecies, elucidated. By William Moore, M. D. 4 s. ſewed. *Johnſon.* We are much afraid, that the real *arcana* of nature will ever elude the inveſtigation of the moſt penetrating inquirer; nor do we find that Dr Moore has proceeded a ſtep farther in any diſcovery than his immediate predeceſſors. He informs us in his preface, that he has endeavoured to elucidate the cauſes of ſterility, and the manner of obviating them, in a mode hitherto unattempted.—

Exclusive of the theory, this work is intitled to approbation, as containing a useful compendium of the elements of midwifery, and of the treatment of the diseases chiefly incident to puerperal women and infants. C.

A treatise on the nature and quality of the diseases of the liver and biliary ducts, &c. By R Bath, surgeon. 2 s. *Newbery.* —— One of those smatterers in physic, who have just talents sufficient to impose upon the ignorant, but "make the learned smile." — Designed to recommend a quack medicine. C.

A treatise concerning Porisms. By Robert Simson, M D. [Professor of Mathematics in the university of Glasgow]. N° 1. 2 s. 6 d. *Nourse.* —— Dr Robert Simson was generally confessed to be the best geometrician of the age, and was particularly skilled in the geometry of the ancients, the purity of which he endeavoured to retrieve, and preserve to the moderns. To him we have long been indebted for the most correct copy of Euclid's Elements, that, perhaps, is now in being. Very little besides of his valuable performances were published in his lifetime; but the rest of them have lately been printed at the expence of the Earl Stanhope, a nobleman celebrated for his great knowledge of those subjects, and for his protection and encouragement to the professors of them. These posthumous pieces consist of a restoration of Apollonius's treatise on Determinate Sections; a restoration of Euclid's book on Porisms, with three other pieces on Logarithms; on the Limits of Quantities and Ratios; and Problems, illustrating principally the Analysis of the ancient Geometers. These works are all written in the Latin language, and the few copies of the book which were printed, were presented to persons skilled in mathematical learning. This circumstance suggested to Mr Lawson the propriety of extending the usefulness of this work to a greater length, by publishing it to the world, and rendering it easy to be procured by every person. This number contains a translation of Dr Simson's preface, and of about one fourth of the treatise on Porisms; and the learned editor says, he will for two or three months wait the issue of the sale of this first number; and if he finds that it will defray the expence, though bitterly, and without any consideration for his time and labour, he will proceed to finish the work in three more such Numbers. C. —— Dr Simson's treatise of Conic Sections, and *Loci Plani*, both in Latin, and in 4to, were published in his lifetime.

On the doctrine of the sphere. In six books. 1. Some preliminary properties of the cone. 2. The general doctrine of the sphere. 3. Of spheric angles and triangles. 4. Of the orthographic projection. 5. Of the stereographic projection. 6. Of spheric trigonometry. To which is added, an Appendix, containing the solution of a problem, for ascertaining the latitude and longitude of a place, together with the apparent time. By the Rev George Walker, F. R. S. 12 s. boards. *Johnson.* —— The subject has not been so comprehensively and accurately discussed in any treatise which we have seen. M.

Belles Lettres, Criticism, &c.

A Dictionary, Persian, Arabic, and English; to which is prefixed, A Dissertation on the languages, literature, and manners, of Eastern nations. By John Richardson, Esq; F. S. A. of the Middle Temple, and of Wadham college, Oxford. Fol. 5 l. 5 s. *Murray.* —— The real lovers of learning and philosophy must receive sincere pleasure from an attempt to trace literature to its source, and to make the East as well as the West contribute her share to the general improvement. With peculiar satisfaction we announce the appearance of a work which tends to promote this purpose; a work much desired, and long expected; the design of which has been undertaken, abandoned, resumed, by men of equal industry and abilities; and which the unwearied labours of Mr Richardson have at length brought to a conclusion. — This Dictionary, in a great measure, supplies the defects of Meninski, by giving at least 5000 Persian and Arabic words, phrases, and additional significations, which he had totally omitted. Mr Richardson has likewise corrected innumerable mistakes in that author, by collating him with Golius, Giggeus, Castellus, and other printed books, and manuscripts of great authority. The volume now published runs completely through the Arabic and Persian Alphabet; so that it may be considered as a whole, independent of the second volume, which will contain the English alphabet translated into the Oriental languages. — As the Asiatic writers frequently allude to customs, beliefs, personages, and events, little known in Europe, the author has inserted, in alphabetical order, many important observations, collected from a great variety of sources, upon these interesting subjects. — He has every where assisted the researches of the philologist, with the information of the historian, and the reasoning of the philosopher; and as he has been uncommonly fortunate in pursuing a walk of literature which seems to be too little frequented, we hope he will be induced to continue it, not doubting that his future inquiries may throw new light on many subjects equally curious and important. —— A few copies of the Dissertation are printed in 8vo, at 3 s. 6 d. each. C.

Fables, lettres, et variétés historiques; i. e. Fables, letters, and an historical miscellany. 3 s. 6 d. *Dilly.* —— Designed for schools,

ſchools, and well calculated for the purpoſe both of amuſement and inſtruction. M.

Eſſays moral and literary. 4 s. 6 d. ſewed. *Dilly.* —— Theſe are ſome of the principal ſubjects which this author has diſcuſſed: On Sentiment; On affectation of the Graces; On the complaints of men of learning; On eloquence; On modern literature; On conciſeneſs; On verbal criticiſm; On the fluctuation of taſte; On the inequalities of genius; On the life and writings of Dr Jortin; On the character of Addiſon as a poet; On ſome of the Minor Greek Poets; On the Odyſſey; On the Oedipus Tyrannus of Sophocles; On Caſimir; On the neglect of ancient authors; On the inferiority of modern to ancient eloquence; On Pliny the Younger; On ſome paſſages in Tacitus; On the harmony of the period; On ſculpture, architecture, and the art of printing. The reader will find many new ideas in the courſe of this volume, and many ſentiments which evidently flow from a juſt ſenſe of things, and a claſſical taſte. C.

Conjectures on the Tyndaris of Horace, and ſome other of his pieces; with a poſtſcript. By John Whitfield, A. M. 2 s. *Richardſon & Urquhart.*

A catalogue of the manuſcripts in the Cottonian Library. To which are added, many emendations and additions. With an appendix, &c. 4 s. ſewed. *Hooper.*

Entertainment.

Julia de Roubigné; a tale. In a ſeries of letters, publiſhed by the author of the Man of Feeling, and the Man of the World. 2 vols. 5 s. ſewed. *Cadell.* —— We can with pleaſure aſſure our readers, that they will find in Julia de Roubigné, the ſame richneſs of invention, pathos of ſentiment, and ſimplicity of language, which diſtinguiſhed the author's [Henry Mackenzie, Eſq; attorney in exchequer, Edinburgh] former productions. M.

The Incas; or, The deſtruction of the empire of Peru. By M. Marmontel. 2 vols. 6 s. ſewed. *Newbery.* —— In this work M. Marmontel has choſen a ſubject every way ſuitable to the exertion of thoſe talents by which he has diſtinguiſhed himſelf. The objects of his deſcription are ſplendid and romantic, the manners of the Incas are ſuch as afford pleaſure to the imagination, both by their novelty and innocence, and the hiſtorical tranſactions mentioned in the narrative, are adapted to excite the moſt lively emotions of horror, indignation, and ſympathy. The deſign of the author is obviouſly to expoſe the ſuperſtitious and deſtructive ſpirit of fanaticiſm, by which the Spaniards were ſo much actuated in the conqueſt of Peru; a deſign that is founded on the intereſts of humanity, and in the execution of which, not only the moſt generous feelings of the heart are awakened, but alſo the nobleſt ſentiments of virtue, with the inviolable ſanctity of moral obligation, preſented to the mind in their greateſt force. C.

The Suſpicious Lovers. By the author of Woodbury. 3 vols. 6 s. *Wilkie.* —— A lively, ſenſible ſeries of letters; calculated not merely to do away an idle hour, but to inſpire a love of honour, and a contempt of vicious principles. M.

The Princeſs of Cleves. An hiſtorical novel; tranſlated from the French. 3 s. *Wilkie.* —— To thoſe who are capable of entering with genuine ſentiment into the delicacies of an elegant paſſion, this tale will appear natural and pathetic. The writer has attentively obſerved, and ſtrongly marked, the workings of an heart, in which love is reſtrained and ſubdued by honour and gratitude. The tranſlation is executed with correctneſs. M.

Travels for the heart. Written in France. By Courtney Melmoth. 2 vols. 6 s. ſewed. *Wallis* —— Contain the effuſions of a lively imagination, apparently well acquainted with thoſe delicate ſenſibilities which mark the human heart in various characters. C.

Letters from Lord Cheſterfield, to Alderman George Faulkner, Dr Madden, Mr Sexton, Mr Derrick, and the Earl of Arran. Being a ſupplement to his Lordſhip's letters. 4to. 2 s. *Wallis.* —— Twenty letters; thirteen addreſſed to Mr Faulkner, three to Dr Madden, one to Mr Sexton, two to Mr Derrick, and one to the Earl of Arran. They are undoubtedly genuine, and will be deemed in ſome meaſure a curioſity. Some of them were perhaps not worth printing; but every thing written by a Cheſterfield will be read. M.

Plays and Poetry.

The Dramatic Works of George Colman. 4 vols. 1 l. 1 s. *Becket.* —— A collection of the dramatic productions of a writer who hath long, and deſervedly, in this walk of literature, (as well as in ſome others), been a favourite with the public. The contents are, 1. The jealous Wife; 2. The Clandeſtine Marriage, (the joint production of Mr Colman and Mr Garrick); 3. The Engliſh Merchant; 4. The Man of Buſineſs; 5. Man and Wife, — all comedies; — 6. Philaſter, a tragedy, with alterations from Beaumont and Fletcher; 7. King Lear, ditto, from Shakeſpeare; 8. Epicene, a comedy, from Ben Johnſon; 9. Polly Honeycombe, a dramatic novel; 10. The Muſical Lady, a farce; 11. The deuce is in him, ditto; 12. The Oxonian in town, a comedy in two acts; 13. The Portrait, a burletta; 14. The Fairy Prince, a maſque; 15. An Occaſional Prelude, 16. The Spleen, a comic piece of two acts;

acts; 17. New Brooms, an occasional prelude. M.

April-Day; a burletta, in three acts. By the author of Midas. As performed at the theatre-royal in the Haymarket. The music by Dr Arnold. 1 s. *Kearsley.* —— A whimsical drama, abounding with those double rhymes, cramp words, irregular versification, and other burlesque peculiarities, that distinguish the buffoon operas of Mr O'Hara. M.

The Sheep shearing; a dramatic pastoral, in three acts. Taken from Shakespeare. As it is performed at the theatre in the Haymarket. 1 s. *Kearsley.* —— An extract from the Winter's Tale. M.

The Fairy Tale. In two acts. Taken from Shakespeare. As performed in the Haymarket. 6d. *Kearsley.* —— Ditto from Midsummer Night's Dream. M.

The Quaker; a comic opera. As performed at the theatre-royal in Drury-lane. 1 s. *Bell.* —— A little piece, abounding with strokes of morality, and not destitute of humour. We cannot say much in favour of the poetry. M.

Percy; a tragedy. As it is acted at the theatre-royal in Covent-Garden. 1 s. 6 d. *Cadell* —— This tragedy, though not the best, is, perhaps, the bloodiest production of the modern drama. Daggers, poison, madness, and death, unite to astonish and surprise. We think it could not be more affecting, unless all the characters had expired, and none but the dead left to bury the dead. The author [Miss Hannah More] is more obliged to a French piece [the *Gabrielle de Vergy* of M. de Belloy] than she seems willing to acknowledge. C. —— *Percy* holds no contemptible station in the ranks of modern tragedy. The fable is, with much address, accommodated to the old story of Chevy Chace; the characters, with the happy addition of Lord Raby, are copied from Belloy; the sentiments are, many of them, natural and delicate; and the language, in general, is flowing and easy, though not totally free from female prettinesses. The Prologue and Epilogue [669] were written by Mr Garrick; and both are conceived in that easy, happy vein, which, for these last thirty years, hath so successfully contributed to assist English writers, and exhilarate an English audience. M.

Poems, consisting chiefly of translations from the Asiatic languages. To which are added, two essays: 1. On the poetry of the Eastern nations; 2. On the arts commonly called imitative. 6 s. *Conant, &c.* —— In this second edition of Mr Jones's elegant poems, &c. there are some additional Latin poems, which are, in every respect, worthy of their learned and ingenious author. M.

The Poetical Preceptor. 3 s. *Crowder.* —— This collection contains above 250 poems, and extracts from the works of the most eminent poets in the English language. The compiler has not only selected such as are remarkable for their beauty and sublimity; but such also as are fraught with noble sentiments, and excellent precepts of morality. It is therefore extremely well calculated for the use of those readers who wish to have a great variety in a small compass. C.

Sir Martyn; a poem, in the manner of Spenser. By William Julius Mickle. 2 s. 6 d. *Flexney.* —— The republication, under a new title, of a poem called the Concubine, which first appeared about ten years ago, and has since that time gone through several editions. Equally poetical and moral, while it paints in lively colours the guilty joys, it exhibits a striking representation of the pernicious consequences of libertinism. C.

Captivity, a poem; and Celadon and Lydia, a tale. Dedicated, by permission, to the Duchess of Devonshire. By Mrs Robinson. 2 s. *Becket.* —— Two reasons preclude criticism here: The poems are the production of a lady; and that lady is — unhappy. M.

Mount Pleasant; a descriptive poem. To which is added, an Ode. 2 s. *Johnson.* —— He who can be satisfied with an elegant picture of Liverpool, its public buildings, &c. in agreeable poetry, has not occasion to travel any farther than to our author's Mount Pleasant. C.

A prospect from Barrow Hill, near Rochester, in Staffordshire. 1 s. *Baldwin.* —— This performance is by no means contemptible; although Barrow Hill must not hold its head so high as Grongar's Hill, or Cowper's Hill. C.

Richmond Hill; a poem. By Charles Crawford, Esq; 1 s. *Becket.* —— Some lines here and there not bad; but how a nightingale can be said to tune her shell, we cannot comprehend; nor do we like the frequent use of the Alexandrines. C.

The Ciceroniad. A poem, inscribed to William Earl of Mansfield: With a dedication to his Lordship. 2 s. *Bew.* —— The plan of the Ciceroniad is briefly this: Tully is sent from the shades, to determine the different pretensions of our bar-orators to the prize allotted to superiority of merit in their profession. The pleaders, accordingly, assemble, and assert their respective claims; which gives the poet an opportunity of sketching their characters: and some of them are severely satirised. The palm is bestowed on Lord Mansfield; who, upright judge as he is, it is hoped, will duly weigh the value of this compliment, should Da——s or Th——e prosecute the author for a libel. —— There are many good lines interspersed in this very unequal performance. M.

Verses

Verſes written on ſeveral occaſions, between the years 1712 and 1721. 2s. 6d. *Becket.* —— Theſe Verſes are ſaid to be the production of Judge Burnet, ſon of the biſhop of that name. They are evidently juvenile, and ought ſtill to have remained in the obſcurity in which they have lain ſo many years. C.

Elegies. 1. On the death of Samuel Foote, Eſq; 2. On age. By Thomas Holcroft, of the theatre-royal, Drury-lane. 1s. *Bew.* —— Theſe little, haſty, occaſional effuſions of *rowing grief*, are generally dictated by friendſhip; to criticiſe them, might, therefore, be thought to imply, in ſome degree, a want of ſympathetic feeling, and of humanity: we ſhall, for this reaſon, only obſerve, that Lyttelton's, and Brown's, and Shaw's monodies, remain ſtill unrivalled. M.

Seventeen hundred and ſeventy ſeven; or, A picture of the manners and characters of the age. In a poetical epiſtle from a lady of quality. 1s. 6d. *Evans.* —— Unqueſtionably the clevereſt of thoſe numerous poetical by-blows that were begotten by the unconſcious Oniah on the meretricious Muſe of Covent-garden. M.

The Deſolation of America; a poem. 1s. 6d. *Kearſley.*

FROM the endleſs wranglings of wordy Contention, and the undiſtinguiſhing vengeance of the ſoldier's arm, this poem may be conſidered as an appeal to the virtuous feelings of generoſity and compaſſion. A Bard, to us unknown, has painted the *deſolations* of a devoted country, once happy in the free enjoyment of all earthly bleſſings, but now groaning beneath the preſſure of every calamity that ruthleſs War, aggravated and ſtimulated by Civil Diſcord, can inflict!— The poem opens with the following deſcription:

" Through the dim ſhades by frantic terror led,
From ſcenes of blood a hoary parent fled;
A tender virgin breathleſs with her fears,
Hung on his arm, and bath'd him with her tears:
With wearied ſteps, and with diſtracted air,
Follow'd the faithful partner of his care.
Through the lone ſhadows of ſurrounding night
Trembling they fled, for Death purſued their flight.
And oft they ſtopp'd, and oft they turn'd their eyes,
Where a vaſt flame ſhot raging to the ſkies,
While ev'ry gale that mov'd the duſky air,
Pierc'd their ſad ears with accents of deſpair.
Here horrid ſhouts of barbarous triumph flow,
Blended with groans, and mingling ſhrieks of woe;
There feebler wails and dying accents riſe,
And rage remorſeleſs thunders to the ſkies.—
Now ſilent had they reach'd a mountain's ſide,
Whoſe paths unviolated foreſts hide:
There paus'd awhile their ſteps, while each ſurvey'd
The diſtant ruin, from the friendly ſhade.—
At length the wretched mother thus began,
While down her cheeks the liquid ſorrows ran."

The " wretched MOTHER" now delineates the horrid ſcenes of hoſtile invaſion; but ſhe draws with an *American* pencil. She exhibits the " reeking blade"—" the bloody croſs of Britain," waving in the van of " an hoſt of ſlaves," and " pointing to deeds of Death."

Expreſſions, however, of this irritable kind, it is to be apprehended, will not produce, on this ſide of the Atlantic, all thoſe tender emotions in the reader's breaſt, which the Poet certainly intended to excite. But, we perceive, it was not his deſign to pay any token of reſpect to the " bloody croſs!"

Among other affecting circumſtances which may naturally be imagined to mark the progreſs of the bloody conteſt, ſeveral are preſented to view, which cannot fail to rend the boſom of every reader, not ſteeled by the rancour of party prejudice. Some of theſe ſcenes and circumſtances of deſolation, however, are not peculiar to America; they muſt be nearly the ſame in every country ſubjected to the ravages of civil war. Hence, the poem, in general, does not ſeem to be, throughout, ſtrictly appropriated to its title. M.

THE poem before us is called *the Deſolation of America*: but it might have been called ſimply *Deſolation*, ſince, till the final diſſolution of " this great globe itſelf, and all which it inhabit," it will do perfectly well for the deſolation of any country, or any quarter of the globe, Europe, Aſia, Africa, or America, which ſhall ever be deſolated. We learn, that, in America, men, women, and children are deſtroyed; flocks are driven away; cities are burned; the harveſts ſadden; and ſhepherds ceaſe to whiſtle—

" Nor breath of muſic floats along the glade,
Nor maiden's ſong ſoft trilling through the ſhade."

We are truly ſorry, as well as this good-natured gentleman; but all theſe ills and miſfortunes generally attend large armies when they invade inimical countries. Nor do happineſs and mirth any more follow the *American*, than the *Britiſh*, camp. The juſtice and propriety of ſending this deſolating armament, do not at all cauſe our author's imagination to relent. With them he had nothing to do. As the boon companion muſt have his joke, ſo muſt *we* have our rhyme at any rate. — Poetry, if ſhe want a ſubject for her tears, might, with more pro-

priety,

priety, ſhed them over poor Germany, who is ſo abuſed at preſent for ſelling men to ſubdue America. How often has that torn and mangled country been the horrid theatre of war, and ruin, and deſolation!

But from poems we do not expect argument, any more than we expect poetry in the pleadings of a lawyer.—This publication has its merit; though the author ſeems pretty well acquainted with Pope, and ſtill better with Goldſmith's Deſerted Village.—The plan, and the beginning and the end, are bad:—the outlines of the poem were ſketched either haſtily or unkilfully; but they were filled up by the hand of a maſter.

Beſides the pleaſure we have received from ſome lines in this poem, we are to thank its author for not giving us the trouble to mark any more than two bad rhymes throughout; "death—beneath," and "unaw'd—God." C.

EDINBURGH.

Eſſays on the corn laws. 6d. *Drum.* [573]

Conſiderations on our corn-laws, and the bill propoſed to amend them. 6d *Elliot.*

—"Britain [ſays this writer] contains fifty-ſix millions of acres, and only ſeven and a half millions of inhabitants. By a proper cultivation, the land is capable of producing twice as much as is neceſſary for their ſupport; the cultivation of the land is therefore undoubtedly the firſt object.—If this country does not at preſent produce enough to ſecure us againſt the danger of famine, or even of very high prices, the natural and ſafe remedy is within our own power. Every encouragement ſhould be given to our farmers to bring more of our waſte land into cultivation, and to improve that which is already ploughed. The common conſumption of the country will occaſion the production of no more than what is found ſufficient in ordinary ſeaſons to ſupply it. If, in order to guard againſt the evils of famine, we wiſh that more ſhould be produced every year than what is equal to the annual conſumption in ordinary ſeaſons, an artificial demand muſt be created; and to anſwer that artificial demand, more land will ſoon be cultivated. With the ſame view, the importation of foreign grain ſhould never be allowed, except when the prices at home riſe to ſuch a height as to endanger the loſs of our manufactures; for whatever part of the demand for home conſumption is ſupplied from abroad, the encouragement for the cultivation of our own land, and the quantity ploughed, will be juſt ſo much leſſened. And here lies the error of thoſe who argue for a continual free importation of corn: their arguments preſume, that, notwithſtanding the importation, the quantity produced within the country will remain the ſame, and that the quantity imported, will, by making greater plenty, only leſſen the price.—In order to encourage any manufacture at home, it is our uniform policy to reſtrain or prohibit the importation of ſimilar manufactures from abroad: to promote the manufacture of broad cloth, the importation of foreign broad cloth is forbid; to encourage our ſilk-weavers, French ſilks are made contraband; it will not be denied, that agriculture, or the production of corn, which Monteſquieu juſtly ſays is of all manufactures infinitely the moſt valuable, deſerves encouragement as well as the reſt; and it muſt ſeem ſtrange, if its ſucceſs is to be promoted by the very reverſe of the method taken to encourage every other, by the admiſſion of foreign corn to a competition with our own. If they be right who argue, that every reſtriction and every bounty does harm, the alteration of our laws ought to be general; it cannot with propriety be made with regard to one manufacture, and not to the reſt. In order to do juſtice to the growers of corn, to our landed men and farmers, if we be allowed to buy corn at all times wherever we can find it cheapeſt, we ought alſo to be allowed the ſame liberty in every kind of manufacture. But under the ſecurity of the home market which our preſent laws give us, our manufactures and our agriculture have roſe to ſurpaſs thoſe of every other country in the world; and it is not eaſy for one who ſees a country in high proſperity to avoid thinking, that there muſt be ſome connection between that proſperity and the laws which have been made to promote it.—From the time of Henry VIII. down to the latter part of the laſt century, many acts were paſſed relative to corn, all of them founded on principles directly oppoſite to thoſe of our preſent laws. With the view of having plenty of corn at home, the exportation of our own was generally prohibited, and the importation from other countries was allowed and encouraged. The conſequence was, what under ſuch regulations it muſt always be, the markets were irregularly ſupplied: ſometimes great quantities were poured in when they were not neceſſary, and at other times corn did not come when it was moſt needed; prices were ſometimes ſo very low, and ſometimes ſo very high, as to ruin both farmers and manufacturers; dearths were frequent, and we find the writers of thoſe times all complaining of the decreaſe of tillage and population. After the conſequences of theſe abſurd regulations had been long ſeverely felt, and when more enlarged ideas came to prevail in this country, new acts were paſſed, by which at firſt exportation was allowed at higher prices than before, duties were then impoſed on imported corn, and at laſt that parliament to which we owe the revolution, diſregarding the

the noiſe and riot of the multitude, who, from ignorance of what is for their own good, have at all times oppoſed exportation, and called out for importation, paſſed that famous act, ſo much admired in every other country in the world, by which a bounty was given on corn exported."

An enquiry into the nature of the corn-laws; with a view to the new corn-bill propoſed for Scotland. By James Anderſon, Monkſhill. 1 s. *Balfour, &c.*

From a book publiſhed ſome months ago by Mr Anderſon, we gave an extract, relating to our corn-laws [198]; — we give a ſummary of the chief heads of the preſent tract in the author's words, viz.

"From what has been ſuggeſted above, I am in hopes that the candid reader will be diſpoſed to allow, that the following particulars are clearly demonſtrated, viz.

That the rate at which importation of foreign grain is permitted in any country, if placed very high, will not of itſelf tend to inſure permanent high prices, nor benefit either the proprietor or farmer, but rather the reverſe.

That the importation-rate, if placed very low, will not of itſelf neceſſarily inſure cheapneſs of grain, but rather the reverſe.

That the importation-rate of oats or oatmeal, in a nation ſo ſituated as Scotland, unleſs it is placed extremely low, cannot materially affect the price of that article in our market.

That the price of grain can only be effectually regulated by means of a bounty granted upon the exportation of it, juſtly proportioned to the exigency of the caſe, aſſiſted, in a barren country, by an equitable importation-rate.

That an invariable bounty on exportation, whatever be its amount, and in whatever manner the importation-rate is fixed, is neither fitted effectually to prevent the prices from falling unreaſonably low in times of great plenty, nor from riſing to too great a height in times of ſcarcity; but that ſuch a bounty muſt rather in ſome caſes tend to increaſe this laſt inconvenience. And,

That all the beneficial effects that may be produced by a bounty on exportation can only be fully experienced, when the importation-rate is fixed at a proper medium, proportioned to the particular caſe in queſtion, and when the bounty is made to vary in proportion to the ſelling price of grain in the home market; the amount of which bounty muſt be proportioned to the nature of the country where it is granted, and the ſtate of the markets to which it can be carried: but that, by a due attention to all theſe particulars, and by that alone, the price of grain may be kept at all times nearly at one rate, ſubject to very little variation, and that as low as the nature of things can admit. This therefore is the only proper mode of beſtowing a bounty on the exportation of grain."

HISTORICAL AFFAIRS.

ENGLAND. [675.]

On the 25th of April laſt was argued before the court of common pleas, by Serjeant Adair, and other counſel, the illegality of Mr Sayer's [294.] commitment, and the ſecretary of ſtate's refuſing to admit him to bail [xxxviii. 285.]. The determination was put off till next term.—This cauſe was reſumed on Tueſday, Nov. 25. The queſtion was upon the admiſſibility of certain evidence offered by the plaintiff on the trial, and, if admitted, its ſubſequent conſequences upon the merits. Serjeant Glynn contended, that the offer of bail made by Mr Reynolds, and rejected by the ſecretary of ſtate in his capacity as magiſtrate, made him a treſpaſſer *ab initio*, as Mr Sayer was committed for a bailable offence. Serj. Davy overturned the reaſoning of his learned brother, and defended the commitment. Then the Lord Chief Juſtice De Grey delivered his opinion. His Lordſhip ſtated the pleadings. He ſaid, that a queſtion of fact and law aroſe; and that until the firſt was eſtabliſhed, the other could not be entered upon: he defined the nature of ſpecial pleading, and what could and could not be brought in iſſue: he took notice of what came from the bar reſpecting magiſtrates; and was clearly of opinion, that a magiſtrate, acting by virtue of his authority, but miſtaking its extent, was not to be conſidered as a treſpaſſer *ab initio*, but only from his departure from legal authority: he then returned to the firſt queſtion, took a view of the replication, and declared it as his opinion, that no new matter could be introduced, or given in evidence, by the plaintiff Sayer, without a flagrant violation of the rules of law that govern ſpecial pleading. His Lordſhip was followed by the other three judges, giving their opinions coincident with his, giving their reaſons, and quoting precedents, unanimouſly agreeing, that the evidence being extraneous to the matter upon record, was inadmiſſible, and its efficiency or inefficiency therefore out of the queſtion. The Lord Chief Juſtice directed the verdict to be recorded in favour of the defendant.

On the 16th of April the recogniſances of John Wilkes, Eſq; and two others, for the good behaviour of the ſaid John Wilkes, entered into in the year 1770, [xxxii. 280.]; were diſcharged. [xxx. 374.]

"*London, Dec.* 27. Mr Deputy Piper has left a legacy of 200l. to Ald. Wilkes."

On the 3d of July was tried at Guildhall, before Sir William De Grey, and a ſpecial jury, an action for damages brought by Stephan, an Armenian merchant, againſt Gov. Verelſt, for falſe impriſonment, and other injuries. After a trial of three hours, the jury gave a verdict for the plaintiff, with 2500l. damages. [xxxviii. 154.]

At Cambridge aſſizes, in July laſt, Judge Aſhurſt gave the charge to the grand jury; in the courſe of which he noticed the good effects of the preſent mode of puniſhing convicts by hard labour upon the Thames [344.], the felons in general dreading that puniſhment much more than tranſportation. His Lordſhip informed the grand jury, as it was inconvenient, and indeed impracticable, to find accommodations and labour upon the Thames for all the convicts in the kingdom, a bill had been in agitation, and would probably be brought into parliament the next ſeſſions, for houſes of labour and confinement to be erected in every county, in which it was propoſed to employ the felons in the hardeſt works, ſuch as treading in a wheel, ſawing wood or ſtone, raſping logwood, or ſuch other ſevere labour as the juſtices ſhall judge moſt advantageous to their reſpective counties; the felons to be divided into three claſſes; the firſt extreme hard labour; the ſecond not quite ſo ſevere; and the third ſtill eaſier than the ſecond; ſo that thoſe convicts who behaved well, and ſhewed a due ſenſe of their crimes, might, under the direction of the juſtices, be removed from the ſevere to the eaſier claſſes, and ſuch as behaved ill into the ſevereſt. His Lordſhip obſerved, that he mentioned this matter thus publicly, that gentlemen might turn their thoughts to the ſubject, and give ſuch hints as they may think neceſſary to forward ſo ſalutary a plan.

The ſtate lottery ended drawing on the 30th of December. [620.]

"*London, Nov.* 28. On Saturday laſt was laid before the commiſſioners of longitude ſolar and lunar tables, by Mr Charles Maſon, of Sapperton, in Glouceſterſhire. Theſe tables give the place of the ſun and moon, both in longitude and latitude, within 15 ſeconds, as appears by comparing them with a regular ſeries of above 1000 obſervations made by the late Rev. Dr Bradely, aſtronomer-royal. Upon theſe undeniable evidences of the accuracy of the tables, Mr Maſon claims the reward of 5000l. offered by an act of parliament 14° Geo. III. for tables that ſhall ſhew the diſtance of the moon from the ſun or ſtars, to 15 ſeconds of a degree."

"*London, Dec.* 16. We are informed by a correſpondent, that Mr Peter Aliaſon of Cotherſton, in the pariſh of Romaldkirk, hath finiſhed an elegant and curious Orrery, contained in three feet diameter, of a ſingular conſtruction: ſhewing the various motions, magnitudes, diſtances, &c. of the planets, Mercury, Venus, Mars, Jupiter, and Saturn; the diurnal parallelism and annual motion of the earth; the different length of days and nights; the viciſſitudes of ſeaſons, diſtinguiſhed by repeated ſtrokes on different bells; the ſynodical motion of the moon, its age and different phaſes; the retrograde motion of the nodes of the moon's orbit, and all the ſolar and lunar eclipſes, &c. Mr Aliaſon was never bred to any mechanic art, and barely knows the firſt four rules of vulgar arithmetic."

"*Port L'Orient, Nov.* 16. I think it my duty to make known, as far as it is in my power, the generoſity of Ld Mulgrave, commander of the Engliſh man of war the Ardent; who being on a cruiſe off Finiſterre, was chaſing two veſſels, when he perceived a ſhip without any maſts in great diſtreſs: he immediately gave up the chace to aſſiſt the veſſel, which proved to be a ſhip from Bourdeaux, called the Huron, Capt. Boret. As ſoon as the Ardent was near enough, his Lordſhip ſent off his boat with twenty men to the French ſhip, to pump out the water, and to bring the crew of the French veſſel on board his ſhip to refreſh them. Ld Mulgrave then offered Capt. Boret any aſſiſtance he wanted to refit his veſſel. His Lordſhip daily ſent twenty freſh men on board to relieve thoſe that he ſent before, and aſſured the Captain, that he was very much affected at his diſtreſſed ſituation, and that he would not leave him till he was out of danger. The Ardent carried a light in her ſtern every night, that Capt. Boret might not loſe ſight of her; and deſired him, if he wanted any particular aſſiſtance in the night, to hoiſt two lights, and he would immediately ſend off to him. This generous behaviour was continued by Ld Mulgrave

Mulgrave from the 31ſt of October to the 4th of this month, when he conducted him ſafe into port. This action is of too exalted a nature not to be made public.

"*Edinburgh, Dec.* 29. A correſpondent informs us, that on Thurſday the 4th inſt. the ſloop Katy, of Stirling, bound to Alemouth, to take in a loading of corn, was driven on ſhore (the wind blowing ſtrong at north-eaſt) between Izelſton and Bambrough caſtle. On the uſual alarm being given from the caſtle, (which is firing a nine-pounder thrice, as is ſpecified at large in the printed ſignals), the people in the neighbourhood immediately attended, to afford all the aſſiſtance in their power to the unfortunate veſſel and her crew: and though they found all the men aboard reduced to the greateſt diſtreſs by a long ſeries of fatigues, and almoſt periſhed with cold; yet getting them aſhore, and conveyed to the caſtle, they were, by the prudent management of thoſe to whom that duty was entruſted, ſoon recovered, and made experimentally ſenſible of the great uſefulneſs of that branch of charity, (among the many others eſtabliſhed at Bambrough caſtle), which relates to the relief of ſhipwrecked ſailors."—Our correſpondent alſo adds, that another veſſel, loaden chiefly with ſugar, from London to Scotland, came aſhore near the ſame place laſt week; but by the timely aſſiſtance of the tenants of Lord Crew's truſtees, (who are obliged to attend on all ſuch melancholy occaſions), and the help of large ſhip-ſcrews, kept at Bambrough caſtle for that purpoſe, ſhe was, in a ſhort time, raiſed, and ſo well repaired as to proceed on her voyage, and gain her intended port."

Sir William Meredith, on a motion by Mr Charles Fox, Dec. 2. for an inquiry into the ſtate of the nation, divided with the minority, and ſoon after reſigned his white wand, as comptroller of the King's Houſehold.

On Tueſday, Dec. 23. a patent paſſed the great ſeal of a grant to Sir Sidney Staſford Smythe, of a penſion of 2400l. per ann. payable at the exchequer, to commence from the date of his reſignation. [624, 79.]

A treatiſe has lately been publiſhed in France, in which a calculation is made of the population of the moſt remarkable cities in the world, the inhabitants of which the author computes to be as follows.

Paris	about	823,276 and increaſing
Madrid	—	340,000 ditto
London	—	930,000 decreaſing
Amſterdam	—	360,000 increaſing
Liſbon	—	200,000 ditto
Conſtantinople		700,000 decreaſing
Venice	—	160,000 ditto
Dantzick	—	240,000 ditto
Peterſburg	—	350,000 increaſing
Konigſberg	—	300,000 ditto
Copenhagen	—	100,000 ditto
Stockholm	—	95,000 ditto
Naples	—	230,000 decreaſing
Pekin in China		900,000 ditto
Rome	—	700,000 ditto
Moſcow	—	400,000 increaſing
Babylon	—	540,000 decreaſing
Alexandria	—	670,000 ditto

Liſt of veſſels ſeized as prizes, and of recaptures made, by the American ſquadron, between May 27. and Oct. 24. 1777 [356], according to the returns received by Vice-Adm. Ld Viſc. Howe.

[In the London gazette of Dec. 6. we have an account of the names of the ſhips and maſters, whence come, whither bound and ſent, with what loaded, and date of the capture;—we inſert only the number of veſſels.]

PRIZES.

Taken by the Brune	6
— by the Daphne	2
— by the Haerlem	3
— by the Raiſonable	3
— by the Roebuck and tenders	15
— by the Emerald	9
— by the Perſeus	2
— by the Senegal	6
— by the Milford	10
— by the Unicorn	9
— by the Chatham's tender	3
— by the Syren	1
— by the Ambuſcade	3
— by the Solebay	1
— by the Sphynx	1
— by the Amazon	5
— by the Orpheus	3
— by the Flora	2
— by the Rainbow	1
— by the Cerberus	2
— by the Lizard	2
— by the Apollo	2
— by the Diamond	1

RECAPTURES.

Retaken by the Brune	1
— by the Daphne	2
— by the Mermaid	1
— by the Juno	4
— by the Amazon	5
— by the Flora	1

Veſſels ſeized, deſtroyed, or retaken, before the 29th of May 1777, not included in the return of that date [356.], *no account of them being then received.*

PRIZES.

Taken by the Solebay	6
— by the Roebuck and tenders	1
— by the Haerlem	5
— by the Greyhound and Diamond	4
— by the Scarborough	3
— by the Albany	2
— by the Lark	1
— by the Mermaid	1

RECAPTURES.

Retaken by the Daphne	1
— by the Mermaid	1

Total number of prizes	115	131
—— Recaptures	16	

Additions to the liſt of ſhips of war now in commiſſion [624.].

Ships.	*Guns.*	*Commanders.*
Ruby	64	Capt. Joſeph Deane
Romulus	44	Geo. Gayton
Montreal	32	Stair Douglas
Hind	20	Sam. Watren
Camel	20	Rd Rodney Bligh
Weazel	16	Charles Hope
Ceres	16	Ja. Rd Dacres
Content Ar.	22	Iſaac Preſcot
Leith ſh.	20	James Orrock
Waſp	8	Hugh Blair
Wolf	8	Tho. Gaborian

Ariel [624.] *for* 32 guns, *read* 20

SCOTLAND. [621.]

An act of the town-council of Edinburgh, dated April 9. 1777, for keeping clean the ſtreets, and preventing nuiſances, was duly publiſhed ſoon after its date. As it was found, that the proſecuting of ſervants had not anſwered the intention of former [xxxii. 712.] regulations, the procurator-fiſcal is by the laſt act injoined to cite the maſters or miſtreſſes of the families; and in queſtions between maſters and ſervants, the ſervants having tranſgreſſed this act is to be held a ſufficient ground for diſmiſſion.

In March laſt, propoſals were publiſhed, by Dr Andrew Duncan, phyſician in Edinburgh, for eſtabliſhing, in that city, a public diſpenſary, for the relief of the poor, when ſubjected to chronical or tedious diſeaſes. It was propoſed, to conjoin with the practice of medicine which this charity would afford, lectures on the caſes of the patients who ſhould reap the benefit of it. Beſides a gratuity to the lecturer, a ſmall fee, in name of medicine-money, would, it was ſaid, be chearfully paid by every ſtudent attending the lectures. At the commencement of the winter-ſeſſion 1776-7, Dr Duncan began a courſe of clinical lectures in the manner above propoſed; and he collected, as medicine-money, above fifty guineas. This deſign has taken place.

Sum of the quantity and value of Linen ſtamped for ſale in Scotland. [xxxviii. 719.]

From Nov. 1. 1776, *to Nov.* 1. 1777.

Quantity 14,793,888 1 half yards.
Value L. 710,633 : 18 : 7 : 1 4th.
Medium Price 11, 2 4ths d.
More this year than the preceeding:
Quantity 1,221,940 yards.
Value L. 71,760 : 8 : 11 : 1 4th.

The number of patients in the royal infirmary, Edinburgh, in 1777. [xxxviii. 719.]

In the hoſpital, Jan. 1. 1777	135	1730
Admitted that year	1595	
Particulars of the above ſum.		
Ordinary patients	1122	1730
Supernumeraries	64	
Servants	196	
Soldiers	348	
Of whom,		
Cured in the year 1777	1260	1600
Relieved, though not fully cured	157	
Diſmiſſed by deſire	116	
Diſmiſſed for irregularities	13	
Diſmiſſed as incurable	2	
Died	52	
In the hoſpital, Jan. 1. 1778.		130
Ordinary patients	80	
Supernumeraries	4	
Servants	18	
Soldiers	28	

The number of patients in the Aberdeen infirmary in 1777. [xxxviii. 719.]

Patients in the hoſpital Jan. 1. 1777.	76	1034
Admitted from Jan. 1. 1777, to Jan. 1. 1778	958	
Of whom,		
Perfectly cured	684	944
Incurable, after a long trial	11	
Recovered, ſo as to follow their uſual buſineſs	148	
Improper, diſmiſſed at their own deſire, and deſerted	66	
Died	35	
Remaining in the hoſpital Jan. 1. 1778.		90

Beſides the above number received into the hoſpital, 2297 have had the benefit of advice and medicines as out-patients.

The

The LONDON General Bill of Chriſtenings and Burials, from December 10. 1776, to December 16. 1777; with the diſeaſes and caſualties, &c. [xxxviii. 735.]

Chriſtened { Males 9338, Females 8962 } 18300	Buried { Males 11768, Females 11566 } 23334	Increaſed in the burials this year 4286.

Between

Age.	No.	Age.	No.	Age.	No.	Age.	No.	Age.	No.
Under 2	8889	20 and 30	1540	60 and 70	1360	100	0	105	1
2 and 5	2609	30 and 40	1894	70 and 80	1096	101	1	106	0
5 and 10	982	40 and 50	1993	80 and 90	377	102	0		
10 and 20	823	50 and 60	1719	90 and 100	48	104	2		

Diſeaſes.						*Caſualties.*	
Abort. and Stillb.	530	Evil	9	Meaſles	145	Bit by a mad dog	0
Aged	1340	Fever, ditto malignant ſcarlet, ſpotted, and purples	2760	Miſcarriage	2	Bruiſed	2
Ague	2	Fiſtula	5	Mortification	202	Burnt	13
Apoplexy and Sud.	236	Flux	10	Palſy	94	Drowned	149
Aſthma and Tiſſick	310	French Pox	71	Pleuriſy	39	Exceſſive Drinking	4
Bedridden	6	Gout	67	Quinſy	11	Executed	14
Bleeding	14	Gravel, Stone, and Strangury	43	Raſh	2	Found Dead	1
Bloody Flux	1	Grief	3	Rheumatiſm	4	Frighted	1
Burſten and Rupture	14	Headach	0	Rickets	4	Frozen	2
Cancer	76	Headmouldſh. Horſhoehead, and Water in the Head	41	Scald-head	0	Killed by Falls, and ſeveral other Accidents	74
Canker	3	Jaundice	130	Scurvy	3	Killed themſelves	37
Childbed	221	Impoſthume	4	Small Pox	2567	Murdered	7
Cholic, Gripes, Twiſting of the Guts	39	Inflammation	123	Sore Throat	43	Overlaid	4
Cold	7	Itch	1	Sores and Ulcers	16	Poiſoned	1
Conſumption	4906	Leproſy	1	St Anthony's Fire	0	Scalded	2
Convulſions	6245	Lethargy	6	Stoppage in Stom.	12	Starved	2
Cough, and Hooping-Cough	529	Livergrown	1	Surfeit	1	Suffocated	7
Diabetes	2	Lunatic	60	Swelling	2		
Dropſy	1006			Teeth	966		
				Thruſh	66		
				Tympany	0		
				Vomit. and Looſneſs	6		
				Worms	6		

General Bill of Mortality for 1777, in EDINBURGH, and WEST-KIRK pariſh.

	Buried in the city.			*In the Weſt-kirk-yard.*			Total.
	Males.	Femal.	In all.	Males.	Femal.	In all.	
January	39	44	83	16	16	32	115
February	28	46	74	15	23	38	112
March	34	39	73	13	21	34	107
April	28	40	68	13	16	29	97
May	24	33	57	13	14	27	84
June	20	27	47	13	9	22	69
July	17	20	37	9	8	17	54
Auguſt	19	20	39	6	11	17	56
September	23	26	49	9	7	16	65
October	25	22	47	6	6	12	59
November	16	20	36	10	6	16	52
December	30	34	64	11	15	26	90
Total	303	371	674	134	152	286	960

Age.		N°
Under 2 years		310
Between	2 & 5	121
	5 & 10	64
	10 & 20	45
	20 & 30	44
	30 & 40	54
	40 & 50	69
	50 & 60	66
	60 & 70	77
	70 & 80	74
	80 & 90	32
	90 & 100	3
	100 & 105	1

Decreaſed 151.

Diſeaſes, &c.									
Aged	128	Chincough	39	Flux	1	Rupture	1	Yellow fever	1
Ague	1	Conſumption	263	Gravel	1	Scurvy	1	Accidents	4
Apoplexy	2	Cramp in the ſtomach	2	Inflammation	1	Small pox	113		
Aſthma	15	Dropſy	4	Jaundice	5	Stillborn	52		
Bowelhive	34	Fever	147	Leproſy	1	Suddenly	17		
Burnt	1			Meaſles	54	Teething	65		
Childbed	5			Mortification	1	Water in head	1		

The burials in the Canongate and Calton burial-places are not included.

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